

A Seasonable,
VINDICATION,
OF
The good old Fundamental RIGHTS,
and GOVERNMENTS of all English
FREEMEN.

By *William Prynne Esq;* a Bencher of
Lincolnes Inne.

Jeremiah, 22. and 18.

*They shall not lament for him saying, Ah my Brother, or Ah hi
Glory.*

*He shall be buried with the burial of an Ass, drawn and cast forth
beyond the Gates of Jerusalem.*

*No man, of his seed shall prosper sitting on the Throne of David, and
ruling any more in Judah.*

L O N D O N.

Printed for Henry Broom at the sign of the Gun in Ivie Lane. 1659.

VINDICATION

OF

The good old Fundamental Rights
and Government of all English

FREE MEN.

By William P. Jones Esq; a Member of
Parliament.

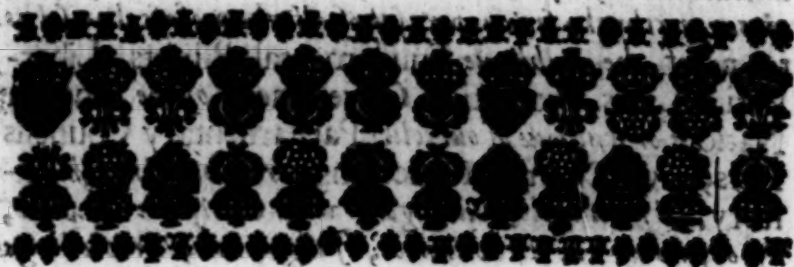
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No more of this Book shall be printed, than is necessary to satisfy the Demand.

LONDON, Printed for Henry Broom at the Sign of the Anchor, in St. Dunstons Church-yard, 1701.



To the
Ingenuous Unprejudiced
READER.



Here present thee with The Third part of a seasonable, Legal, and Historical Vindication of the good old Fundamental Liberties, Franchises, Rights, Properties, Laws, Government of all English Freemen; with A Chronological Collection of their Strenuous Defences by Wars, and otherwise; of all the Great Parliamentary Councils, Synods, chief Laws, Charters, and other Proceedings, in them; the great fatal Publick Revolutions, Invasions, Wars, National Sinnes, occasioning them; and the exemplary Judgements of God upon Tyrants, Oppressors, Perjured persons, Rebels, Traytors, Regicides, Usurpers, under our Saxon and Danish Kings, since the year of Christ 400. till the Coronation of King William the Norman, anno 1066. with some Short Observations of mine own here and there subjoined, for the Readers benefit, and instruction. A work neither

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unlea-

To the Reader.

unseasonable for, nor unsutable, unserviceable to our present times, worthy the serious perusal of all who profess themselves friends of the Publique Fundamental, Rights, Liberties, Laws, Properties, Government of the English Nation: or studious of our old Parliamentary Councils Acts, Laws, Charters Proceedings or of our English History. From which intelligent wise Christian Readers, by observing the Providences, Judgements, Proceedings of God towards our ancestors, and others, for their national, personal crying bloody sins in former ages, may probably conjecture what Tragical Judgements, Events, our whole Nation in general, many transcendent Delinquents in particular, have now just cause to fear and expect, for their exorbitant iniquities, (equalling or exceeding any in those former ages) unless their speedy, real, sincere repentance, reformation, and Gods infinite mercy, ward them off.

True it is, that the infallible certainty of future contingent judgements, and events, national or personal, are (a) known only to God himself, (b) who changeth the times, seasons, removeth Kings, and setteth up Kings; pulleth down one and setteth up another: roots up, pulls down, destroyes, builds, plants Nations, Kingdomes, Cities, Families, Persons, at his pleasure; doing whatsoever pleaseth him, both in heaven, earth, the Sea, all deep places, and amongst all the Inhabitants of the earth; and none can stay his hands, nor say unto him, What dost thou? Notwithstanding wise intelligent Christians by a serious examination, and comparing of the Judgements of God, expressly threatened against, and usually inflicted upon Nations or Persons, for such and such transgressions, in precedent generations; (c) may probably conjecture & predict, what severe exemplary punishments our late profane transcendent wickednesses, & outrageous crimes are like to draw down upon our unrepentant, secure perjured sinful Nation, and the hairy scalp of all those Grand Offenders;

[a] *Isay.* 41.

22, 23, 26.

Acts 1. 7.

Deut. 29. 29.

Dan. 2. 18, 19,

22.

[b] *Dan.* 2.

21. 6. 4. 32, 35.

Psal. 75. 6. 7.

Psal. 135. 6.

Jer. 1. 10. 15.

40. 23, 24.

[c] *Prov.* 22.

3. c. 27. 12.

Isay. 26. 10, 21.

Amos 3. 6, 7.

Rev. 18. 4.

See the the life

Dr. James

usher p. 79, 86.

20 21. 166.

To the Reader.

ders, who go on still in their exorbitant trespasses, though they deem themselves (d) advanced above the reach of any Powers or Tribunalls which may pull them down, and execute justice on them, answerable to their bloody crimes, and violences, there (e) being an higher than the highest, who is both able and resolved, to execute vengeance on them in his due season, as well as on all Notorious grand Offenders in former ages, though never so many, if their repentance prevent it not.

It was Davids profession to God: (though a victorious King, General, and Man of War). (f) My flesh trembleth for fear of thee, and I am afraid of thy judgements. O that this were the present temper of our secure Nation, and all the sinners, warriors, and Grandees in it, in this fearless stupid age, wherein though (g) we commit wickedness with both hands, (h) our tongues & doings are against the Lord, to provoke the eyes of his glory: and we all proclaim our sins like Sodom, and hide them not, yet Gods judgements are far above out of our sight, and we all say in our hearts (like those secure Atheists mentioned in the Psalmist) we shall never be moved, we shall never be in adversity: God hath forgotten, he hideth his face, he will never see nor require it: Yea, notwithstanding all Gods threats, curses against, his late severe punishments of our National, personal sins: (k) We blesse our selves, and say in our hearts, we shall have peace, though we walk in the imaginations of own hearts, to add drunkenness to thirst: quite forgetting what follows thereupon, The Lord will not spare such men, but the anger of the Lord, and his jealousy shall smoke against them, and all the curses that are written in his book shall lie upon them, & the Lord shall blot out their names from under heaven.

Let therefore the contemplation of the National, Personal judgements of God upon our Ancestors here recorded, for those crimes of which we are now as deeply guilty as they were then, awaken us from our present Lethargy, lest

To the Reader.

[1] Prov. 23. we be (1) suddenly destroyed, and that without remedy; and teach us all this Gospel lesson, Rom. 11. 40, 21.

Be not high minded but fear: for if God spared not the naturall branches (heretofore, or of late) take heed lest he also spare not thee.

* Mat Paris
Hist. Angl. p.
268.

* *Rumor de Veteri faciet futura timeri.*

The fourth Section of the third chapter (which begins this third part) should have been printed with the Second part, as a branch thereof, above two years since, but that the Stationer then kept it back for fear it should swell that Part overbig for his present Sale, whereby the bulk of this Third Part, is now augmented beyond its first intended proportion; which all Readers may do well to binde up with the two former parts, to which it hath special relation, more particularly to the ten Propositions in the First Part, to which the Proposition figures in the margin refer.

The most of that large tract (of 450. years space) I have here Chronologically run through, was spent either in bloody intestine wars between our Saxon Kings themselves, or the Welsh Britons, warring upon and against each other: or else in defensive Wars both by Land and Sea, against the invading, bloody, plundering Danes, Norwegians, Scots, Normans, and other Foreign Nations. During which Military seasons Religion, Devotion, Piety, Law, Justice, Parliamentary Councils, Synods, and just Government, are usually cast aside, and quite trampled under foot; yet it is very observable (for the perpetual honour of our Kingdoms and Kings) that, as during the reign of our antient British Kings, (before the Saxon race here seated, our Kingdoms of Britain

[m] See part produced (m) Lucius the first Christian King, Helena the first Christian Queen, and Constantine the great, her

Antiqu. Eccles. Brit. Spelmanni Concilia, Fox, Speed, Holinshed in their lives, & Hierius, De Ecclesiis, Primordiis, c. 3, 5, Godwins Conversion of Britain,

son

To the Reader

son, the first Christian Emperour in the world, who
publickly embraced, professed, countenanced, propa-
gated the faith and Gospel of Iesus Christ, and abo-
lished Pagan Idolatry in their Dominions: And of la-
ter times as our English Realm brought forth (n) King Hen- [n] Fox Acts
ry the 8th, the first Christian King in the world, who by and M. n.
Acts of Parliament, abolished the Popes usurped pow- ments, Hall,
er and jurisdiction out of his Dominions; King Edward Hayward,
the sixth his son, the first Christian King, and Queen Speed, Holin-
Elizabeth the first Christian Queen we read of in the shed, and o-
world; who totally abolished, suppressed Popery, thers in their
banished it their kingdoms, and established the pub- lives. Rastal,
like Profession of the Protestant Religion, by publike Rome, Crown,
Statutes made in their Parliaments: So during the reigns Monasteries,
of our Saxon Kings, after they turned Christians, this First-fruits,
Realm of England procreated (o) more devout, holy, Mass, Service,
pious, just and righteous Kings, eminent for their piety, and Sacra-
justice, excellent Ecclesiastical and Civil Laws, tran- men's.
scendent bounty to the Church, Clergy, and Martyr- [o] Capgrave
dom for the defence of Religion, and their Country a- in his Chron. c.
gainst Pagan Invaders, than any one Kingdom through- Sir Henry
out the World. There being [p] no less then 15 or 16 of Spelman in his
our Saxon Kings, and 13 Queens within 200 years space, Epistle Dedicat-
who out of piety, devotion, and contempt of the world, to y before his
(according to the piety of that age, not of date in this) Councils.
voluntarily renounced their earthly Crowns, and Kingdome, [p] See Mat.
and became professed Monks, Nuns, to obtain an in- t. 23. Cap-
corruptible Crown and Kingdom in Heaven; & 12 Kings graves Chroni-
crowned with Martyrdom, being slain by Pagan invad- cle, Sir Henry
ers, 10 of them being canonized for transcendent Spelman his
Saints, and enrolled for such in all Martyrologies, Epistle to his
Liturgies of the Church; which I doubt few of our new Councils.
Republican Saints will be: Yea the piety of our Kings in
that age was generally so surpassing, Ut mirum tunc
fuerat Regem non Sanctum videre, as (q) John Cap- [q] Preface
grave informs us, Whence Wernerus (a foreign Chro- to his Chro-
nologist) in his Fasciculus temporum, records; Plures se- icle.
a inve-

[r] De Vita &
Miraculis Ed-
wardi Confes-
soris, col. 369,
371.

invenisse sanctos Reges in Anglia, quam in alia mun-
di Provincia quantumcunque populosa. And [r] Ab-
bot Ailred long before him, gives this memorable testi-
mony of the Sanctity, Martyrdom, Justice and study of the
peoples publike weal before the private, shining forth in
our Saxon Kings, more than in any other kings throughout
the world. Verum præ cunctis civitatibus Regnisve ter-
rarum, de sanctitate Regum suorum Anglia gloriatur:
quorum alii coronati martyrio, de terreno ad cæleste
Regnum migraverunt: alii exilium patriæ præferentes,
mori pro Christo peregre deligerunt; nonnulli posito di-
ademate, disciplicinis se monasticis subdederunt: qui-
dam in iustitia et sanctitate regnantes, prodesse subditis
quam præesse maluerunt (whose footsteps I wish the pre-
tending self-denying antimonarchical domineering Saints
over us would now imitate) inter quos istud Sydes exi-
mum, gloriosus Rex Edwardus, emicuit, quem cerni-
mus & in divitiis egenum, & in deliciis sobrium, in
purpura humilem, & sub corona aurea seculi contemp-
torem: So as the Prophecies of Psal. 72, 2, 6. Isay. 42, 4,
10, 12. c. 49. 1, 23. c. 51, 5. c. 60, 9, 10, 11. c. 66.
19. seem to be principally intended and verified of our
Kings & Isle above all others in the world. No wonder then
that these ages of theirs afford us (notwithstanding all the
wars, tumults, combustions therein) sundry memorable
Presidents of great Parliamentary Councils, Synods, Ci-
vil and Ecclesiastical excellent Laws and Canons made in,
& royal Charters confirmed by them, with divers me-
morable Monuments both of our Parliamentary Councils,
Kings, Princes, Nobles, Peoples constant care, diligence,
prudence, fortitude, in defending, preserving, vindicating,
and perpetuating to posterity the good old Laws, Liberties,
Franchises, Rights, Customs, Government, publike justice
and Propriety of the Nation; to suppress, abolish all ill
Law, tyrannical, unjust Proceedings, Oppressions, Exa-
ctions, Imposts, Grievances, Taxes, repugnant thereunto;
& to advance Religion, Piety, Learning, the free course of
Justice

To the Reader.

Justice, and the peoples welfare. Which I have here in a Chronological method (for the most part) faithfully collected out of our antientest best Historians and Antiquaries of all sorts; where they ly confused, scattered, and many of them being almost quite buried in oblivion, and so far forgotten, that they were never so much as once remembered, or insisted on, either in our late Parliaments and Great Courts of Justice, in any late publike Arguments or Debates, touching the violation or preservation of the fundamental Laws, Liberties, Properties, Rights, Franchises of the Nation, now almost quite forgotten, and trampled under foot, after all our late contests for their defence.

I have throughout these Collections strictly confined myself to the very words and expressions of those Historians I cite, compiling their relations together where they accord in one, citing them severally where they vary, and could not aptly be conjoyned, transcribing their most pertinent passages in the language they penned them (omitted by our vulgar English Chronologers) and annexing some brief observations to them for Explanation or Information, where there is occasion.

The whole undertaking I here humbly submit to the favourable acceptance and censure of every judicious Reader; who if upon his perusal thereof, shall esteem it worthy of such an Encomium, as (1) William Thorne (a ^{(f) Historia Anglicana. scriptores, col. 1757.} Monk of Canterbury) hath by way of Prologue prefixed to his own Chronicle; Valens labor & laude dignus, per quem ignota noscuntur, occulta ad noticiam patefcunt; præterita in lucem, præsentia in experientiam, & futura temporibus non omittantur; & quia labilis est humana memoria, necesse constat scriptis inseri memoranda, ne humanæ fragilitatis contingens oblivio, fieret posteris inopinata confusio. It will somewhat encourage me to proceed from these remote, obscure times, to ages next ensuing, in the like, or some other Chronological method. But if any out of disaffection to the work, or di-

To the Reader.

De Gestis Reg
Angl. l. 5. p.
173, 174.

verſity from me in opinion, ſhall deem theſe Collections uſe-
leſs or ſuperfluous. I hope they will give me leave to
make the ſelfſame Apology for my ſelf and them, as our
moſt judicious Hiſtorian (1) William of Malmesbury
long ſince made for himſelf and his Hiſtorical collections.
Et quidem erunt multi fortassis in diverſis Regionibus
Angliæ, qui quædam aliter ac ego dixi, ſe dicant audi-
ſe vel legiſſe. Veruntamen ſi recto aguntur iudicio,
non ideo me cenſorio expungent ſtilo. Ego enim ve-
ram Legem ſecutus Hiſtoriæ, nihil unquam poſui, niſi
quod a fidelibus relatoribus, vel ſcriptoribus addidici.
Porro, quoquo modo hæc ſe habeant, privatim ipſe mihi
ſub ope Chriſti gratulor, quod continuam Anglorum
Hiſtoriam ordinaveram, vel ſolus, vel primus, (*at leaſt*
wiſe in this kind) Si quis igitur poſt me ſcribendi de tali-
bus munus attentaverit, mihi debeat collectionis gra-
tiam, ſibi habeat electionis materiam. Quod ſuper-
eſt, munus meum dignanter ſuſcipite, ut gaudeam grato
cognitoris arbitrio, qui non erravi eligendi iudicio.

*Thus craving the Benefit of thy Prayers for Gods Bleſ-
ſing on theſe my publications, for the common liberty,
weale and Benefit of the Nation, I commend both them
and thee to Gods miſericordie and benediction.*

Lincolns Inne
December 6, 1655.

WILLIAM PRYNNE.

A

**A Seasonable, Legal and Historical Vin-
dication of the good old Fundamental Li-
berties, Rights and Laws of England.**

Chapter 3. Section 4.

Comprehending a brief Collection of all the most
observable Parliamentary Councils, Synods, Conven-
tions, Publique Contests, Debates, wars, Historical
Proceedings, Passages, Records, relating to the fun-
damental Liberties, Franchises, Rights, Customs,
and Government of the People under our English
Saxon Kings, from the year of our Lord 600,
till the death of King Edmund Ironside, and
reign of Cnute the Danish King, Anno Dom.
1017. with some brief Observations on and
from the same.

IN the former Section I have presented you
with a general brief Account of our first
English Saxon Christian Kings limited
Power and Prerogative, being obliged to
govern their English-Saxon Subjects, not
arbitrarily, but justly, according to their known Laws, and
totally disabled, to alter, repeal any old, or enact any new
Laws; to impose any publique Taxes, Tallages, Imposts,
Customs whatsoever, on their people, upon any real or pre-
tended

Vol. 240 l.
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pag. 22051.

tended necessity; to make any War, Peace; or to alienate the Lands & ancient Revenues of their Crowns, to any pious, publique or private uses whatsoever, without the common consent of their Nobles and Wisemen in general Parliamentary Councils; together with a Summary of the Laws of Ethelbert, the first Christian Saxon King, wholly pretermittting the Names, Acts, Kingdoms, of our first Pagan Saxon Usurpers, rather than lawfull Kings: who, though many and great in their generations, were very speedily brought to nothing their Kingdoms begun, erected by blood, conquest, and meer power of the Sword, standing not long unshaken by civil wars among themselves, each King enjoying his equals greatness, and seeking to enlarge his own Dominions upon the next. In which Combu-
See Mat. westminst. An. 586, &c. Malmesbury, de Gest. Regum Anglo: um. l. 1. Hen. Huntingdon Hist. lib. 2. Ethelwerdi Hist. lib. 1. 2. Fox Acts and Monum. Vol. 1. p. 148. Speeds Hist. of Great Britain, p. 209, &c.
 stions few or none of them came to the Grave in due time, but were either slain in war, or treacherously murdered in Peace, or expelled their Realms by, or forced to resign their Crowns to others, after all their former prosperous successes and reigns wholly spent in Wars, Troubles, Seditions, Rebellions, Rapines, affording nothing worthy memory for their peoples good, the Kingdoms settlement, or imitation of Posterity. Whence Henry Huntingdon in the close of the 2 Book of his Historiae, p. 320, hath this Observation concerning them, very seasonable for our present times; *Vide igitur Lector, & perpende, quanta Nomina quam cito ad nihilum devenerint; Attende queso & stude, cum nihil hic duret, ut adquiras tibi regnum, & substantiam illam, qua non deficiet, Nomen illud & honorem qui non pertransibit, monumentum illud & claritatem que nullis seculis veterascet. Hoc prae meditare, summa prudentie est, acquirere summa caliditatis, adipisci summa felicitatis.*

I shall now in this Section proceed in my intended Chronological Method, to their next succeeding Christian Saxon Kings reigns in England, till the reign of King Canute the Dane, Anno Domini, 1017.

It is recorded of *Aethelbert* (a) the first Christian An. Dom. 605
 Saxon King of Kent, that keeping the Feast of our Sa- (a) Chronic.
 viours Nativity at Canterbury, with his Queen, *Ead- wil. Thorne :*
bald his Son, Arch-Bishop *Augustine*, and the Nobles col. 1760, 1761
 of the Land; he there held a *Parliamentary Council* 1762, 2123.
 with them, on the 5. of January, in the year of our Spelman Con-
 Lord 605. Which *Thomas Sprot* thus expresseth (in cil. p. 118. to
 the Language of his age rather than of that) *Convo-* 129. Chyronicor
cato ibidem communis Concilio tam Cleri quam Po- Johan. Brom-
puli, die quinto Januarii, he did then and there, ton, col. 733.
Duntium & singulorum approbatione, & consensu, as Proposition 5,
 he relates; or *cum consensu Venerabilis Archiepis-* 6, 10.
copi Augustini & Principum meorum, & cum Eobal-
di filii mei, aliorumque Nobilium optimatum meo-
rum Concilio, as his Charters recite, give, grant and
 confirm to the Church of St. Peter and Paul in Canterbu-
 ry for ever, sundry Lands, pretious Utensils, Privileges
 and Immunities by his Charters, made and ratified in this
 Council. In which (it is most probable) he likewise
 made those *Judicial Decrees and Laws*, with the advice
 of his *Wise men*, for the benefit of his people in his own (b) Ecclesiast.
 Country Saxon Language; Which our venerable Hist. lib. 2. c.
 (b) Beda, (c) William of Malmesbury, (d) Huntindon, 5.
 (e) Bromton, and (f) others mention only in the gene- (c) De Gestis
 ral, and Bishop (g) Enulph hath registred to posterity Reg. Angl. l.
 in his famous manuscript, intituled *Textus Roffensis*, 1. c. 1.
 of which I have given you some account before. Section (d) Hist. l. 3.
 3. p. 50, 51, 52. on which you may reflect. p. 226.
 (e) Chron. col. 738.

In the year of Christ 627 (b) *Paulinus* perswading (f) Mr. Sel-
Edwin King of Northumberland to become a Christian, dens Titles of
 Honour, part.
 2. c. 5. p. 602. (g) Spelman. Concil. p. 127. (b) Beda Eccles. Hist. Gentis Anglo-
 rum l. 2. c. 12, 13, 14. See Mat. westm. An. 626, 627. Malmesh. de gest. reg. l. 1. c.
 3. Hen. Huntindon, hist. l. 3. p. 327, 328. Chron. Johannis Bromton, col. 781, 782.
 Simeon Dunelmensis Epist. de Archiepiscopis Eborum, p. 77. Radulphus de Diceto,
 Abbreviationes Chron. col. 438. Gervasius Acta Pontificum Cantuar. col. 1634.
 Godwin in the life of Paulinus, Polychronicon, Fabian, Grafton, Holinshed, Speed,
 Fox in the life of Edwin. Seldens Titles of Honour, part. 2. c. 5. Sect. 6. p.
 632.

to avoid eternal torments, and to be made a partaker of the Kingdom of Heaven; The King answered, That he was both willing, and ought to receive the faith which he taught, but he ought first to confer with his **Friends, Princes, and Counsellors concerning it**, that so, if they concurred in judgement with him, they might all be baptized together. Assembling therefore his Wisemen, and advising with them, he demanded severally of them all, *What that Doctrine, which they never heard of till then, and that new worship of God which was preached by Paulinus, seemed to them?* To whom Coyfi the chief of the Priests presently answered: *Do thou consider, O King, what that Religion is which is now preached to us; I profess unto thee, that which I have most certainly learned, that the Religion we have hitherto imbraced, hath no virtue at all in it; whereupon it remains, that if those new things which are now preached unto us, shall appear to thee upon examination, to be better and stronger than our Religion, let us hasten to embrace them without any delay. To whose wise persuasions and words, Another of the Kings Nobles giving his Assent, spake something concerning the brevity and incertainty of this life, and of their ignorance and incertainty of that life which is to come, concluding, That if this new Doctrine brought any thing to them more certain, than that they formerly imbraced, it ought to be deservedly followed: The rest of the Elders and Kings Counsellors, prosecuting the like things, by Divine admonition, Coyfi added; that he desired to hear Paulinus preaching concerning God, more diligently than before; which when he had done, by the Kings command; he cryed out (having heard his preaching) *I heretofore understood, that what we worshipped was nothing, because by how much the more diligently I sought the truth in that worship, the less I found it. But now I openly professe, that in this preaching, the truth shines forth; which is able to give unto us the gifts of eternal life, salvation, and happiness; Whereupon, O King, I advise thee, that the Temples,**

and

and Altars we have consecrated without any fruit or benefit, we should now presently execrate and burn. Upon this, without more debate, the King openly gave his assent to the preaching of Paulinus, & renouncing Idolatry, confessed that he did embrace the faith of Christ. And when the King demanded of Coifi his Priest, who ought first to prophane and destroy the Altars & Temples of the Idols, with the rails & bounds wherewith they were inclosed? He answered, I, who have worshipped them through foolishness. And presently renouncing his Superstition, he demanded Arms and an Horse of the King, (* which by their old Law ^{* Fox Acts and Mon. Vol. 1. p. 156.} Priests might not use:) which being granted him, he mounted the Horse, with a Sword and Lance in his Hand, and riding to the Idols thus armed (the people deeming him to be mad) prophaned the Temple, and commanded his Companions to destroy and burn it, with the Idols, and all the Hedges about it, which they did. Whereupon the King, with his Nobles, and very many of the people, embraced the Christian Religion, and were baptized by Paulinus, in the Church of St. Peter at York; (which the King there speedily commanded to be built of Wood, and afterwards enlarged) ordaining Paulinus Bishop of that place, who converted, baptized him and his people; as Beda and others more largely record the History. From which memorable president we may observe these particulars.

1. That the King himself could not then alter the established Laws or received Religion of this Realm, though false; nor introduce new Laws, or set up the true Religion, without the concurrent Assent of his Nobles and Wilemen in a general Parliamentary Council

2. That the Princes, Chief Priests, Nobles, and Aldermen of the Realm, were the Parliament Members in that Age.

3. That every one of them in these Councils had freedom of Vote and Debate; and gave their voices severally, for the bringing in of Christianity, and destruction of Idolatry.

(i) *De Gestis Regum Anglor.* l. 3. c. 2. p. 18. See *Fox Acts and Mon.* vol. 1. p. 157. (i) *William of Malmesbury* gives this Character of this Kings Government, after he became a Christian, and of the vicissitude of humane affairs, worthy our present observation, he being suddenly slain in battle, together with his Son, after all his former conquests and felicity.

Proposition 4. Nullus tunc *Prædo Publicus*, nullus latro domesticus, insidiator conjugalis pudoris procul; *Expiator alienæ Hereditatis exul*: Magnum id in ejus laudibus, & nottrâ ætate iplendidum. Itaque Imperii sui, ad eos limites incrementa perducta sunt, ut *Justitia* & *Pax* libentè in mutuos amplexus concurrerent osculorum, gratiam grata vicissitudine libantes; & *feliciter tunc Anglorum Respublica* procedere potuisset, nisi mors immatura, temporalis beatitudinis Noverca, turpi fortunæ ludo, virum abstulisset Patriæ. Ætatis enim 48. Regni 17. *Rebellantibus Regulis*, quos tubjugum miserat, *Ceadwalla Britonum*, & *Penda Merciorum*, cum Filio interemptus, miserabile varietatis humanæ fuit exemplum: nulli prudentiâ inferior, qui nè Christianam fidem, nisi diligentissimè inspectatâ ratione, voluit suscipere, susceptæque nihil existimare comparabile.

Anno 673. (k) *Theodor* Archbishop of Canterbury, held a great Council at *Hertford*; presentibus Episcopis Angliæ, ac Regibus, & Magnatibus universis; the *Bishops of England*, and *Kings* (to wit, King *Lotharius* and *Eafwine*) and all the Nobles being present at it. In this Council, they made ten Canons or Laws, which they all subscribed and ratified with their hands; the 7th. whereof was, That a Synod (or Parliamentary Assembly) should be assembled twice, or (because divers causes hindred) *Placuit omnibus in commune*, they all agreed in common, that in the Calends of August, in a place called *Clotesboon*, a Synod should be congregated, at least once every year. The rest of them you may see, p. 152, 153. *Fox Acts and Mon.* vol. 1. p. 161. Propost. 5, 6.

peruse

peruse in the marginal Authors at leisure, being merely Ecclesiastical, and not so pertinent to my Discourse.

(l) *Ceadwalla* King of the *West-Saxons*, In the year of our Lord 680. granted to Bishop *Wilfrid* certain Lands, with their appurtenances, called *Pagaliam*; *meorum*; with the consent and devout confirmation of all his Nobles (assembled in a Parliamentary Council) the grant of his Crown Lands to him, being not valid to bind his Successours without his Nobles concurrent confirmation.

Anno 680.
(l) *Evidentie Ecclesie Christi. Cantuar. col. 2207.*
Propos. 10.

(m) *William of Malmesbury* writes of him; That though before his conversion unto Christianity, he addicted himself to wars, and to plunder and spoil his neighbouring Kings; yet he conscientiously dedicated the tenth of all his spoils to God. *Inter hac arduum memoratu est, quantum etiam ante Baptismum in servierit pietati, ut omnes manubias quas jure prædatorio, in suos usus transcripserat, Deo Decimarer. In quo, etsi approbamus, affectum, improbamus exemplum; juxta illud; Qui offert sacrificium de substantia Pauperis, quasi qui immolat filium in conspectu patris.*

(m) *De Gestis regum Angl. l. 1. c. 2. p. 14. Mr. Seldens History of Tithes, c. 10. sect. 1. p. 269.*

If all the *Plundering warring Saints* of this Age would imitate his example, in giving the Tenth of all their spoils and plunders to God & his Ministers, instead of spoiling them of their Tithes and antient Church-Revenues, men would deem them as good Saints as this plundering conquering Saxon King; of whom it is likewise storied, that (n) before he turned Christian, intending to invade the Isle of Wight, and unite it to his Kingdom; he vowed to give the 4th. part of the Island, and Prey, to *Camdens* *Christ*, if he should vanquish it: Whereupon he conquering the Isle, slew the Natives in it, being Pagans, with a Tragical slaughter; and in performance of his vow,

(n) *Beda Eccles. Hist. l. 4. c. 16. p. 275. Thomas Stubbs Actus Pontif. Eboracensium col. 1691. & Malmesbury de Gestis Pontificum Anglie. l. 3. in Wilfrido. Chron. Johan. Bromton, col. 742. 757. Spelman, Concil. p. 181. Speeds Hist. p. 227.*

gave

gave to Bishop Wilfrid and his Clerks (for their maintenance and encouragement) the possession of 300 I-Hides of Land, being the fourth part thereof. When our new Conquerours shall be so bountifull in bestowing the fourth (or but the tenth) part of all the pretended conquered Lands they have gotten on Christs Church and Ministers, instead of invading and purchasing the Churches antient Lands, Glebes, Tithes and Inheritance, they may demerit the Name and praise of Saints, as well as Ceadwalla; who, before he came to the Crown, as he was unjustly banished from his Country, through the envy of others, only for his vertues and worthiness, which first caused him to take up armes and invade the South-Saxons, two of whose Kings he slew successively in the field, after which he twice invaded, and afflicted Kent with grievous wars (taking advantage of their civil discords) wherein he shed abundance of Christian blood: So when he had reigned but two years space, after all his victories, out of meer devotion, he voluntarily left his Crown, Kingdom, Conquests, and went in Pilgrimage to Rome (where he was baptized) to bewail and expiate the guilt of all his former wars, bloodshed, plunders, rapines, perplexing his Conscience, and there died.

An. Dom. 616.

(o) Evidentie
Ecclesie Chri-
sti Cantuar.col.
2207.
Propos. 1. 10.

The first Charter and grant I find extant of any Lands given to the Church, after those of Ethelbert King of Kent, forecited, is that of (o) King Eadbaldus his Son and successour, Anno Dom. 616, who being by Gods mercy, through the admonition of Archbishop Lawrence converted from the pravity of his life, for the Salvation of his soul, and hope of a future reward, gave to Christ-Church in Canterbury, and to the family serving God in that Church, his Lands called Edesham, with the Fields, Woods, Pastures, and all things therunto of right appertaining, free from all secular services, & Fiscal tributes; except these three; Expedition, Building of Castle and Bridge.

The

The next in time, is the (p) Grant of *Lotharius An. 679.*
 King of Kent, Anno 679. of certain Lands in the Isle (p) See *Chronica VII.*
 of Thanet, to the Monastery of *Raculph*, free from all *Thorne, & E.*
 secular services, except these three, Expedition, Building *videntia*
 of Bridge and Castle: To which I might annex these *Ecclesie Chri-*
 ensuing Grants and Charters, which I shall only name; *sti Cantuar.*
 The Grant of King *Egfrid*, and his Queen *Etheldrida*, *col. 2207.*
 of *Hestodesham* to Bishop *Wilfrid*, Anno 674. *2225. where*

The Charter and Grant of *Ceadwalla* aforesaid, and *Grants and*
Kendricha his wife (of 4 plough-Lands to Archbishop *Charters are*
Theodor, and the Family of *Christ-Church* in *Canterbu-*
ry, free from all secular services, but those 3 forementioned) *Monasticon*
 An. 687. of *Wicbrid* King of Kent, Anno. 694, of King *Anglicanum;*
Offa, An. 774. of King *Edmund*, An. 784. of King *published by*
Kenewlfe, An. 791, 814, 815, 822. of King *Wilof*, An. *Mr. Doddes-*
 829. of King *Athulfus*, An. 832, 833, 834. of King *wel, &c.*
Ethelstan, An. 927, 940. of King *Edred*, An. 941, 948, *since this was*
 949. of King *Egered*, An. 979, 980. and of King *Cnut*, *penned.*
 An. Dom. 1016. To pretermitt others of this kind.

All which Grants being for the most part, only of
 their own private Lands gotten by Purchase, or Con- *Proposit 1.*
 quest, not of the Lands, or Demesnes of their Crowns,
 passed by their own Charters alone, without any con-
 firmation or assent of their Nobles in a Parliamentary
 Council, not mentioned at all in them. But no grants
 of any Lands, Rents or Revenues of their Crowns, to
 pious or other uses, were then either valid in Law, or
 obligatory to their successors, without common con-
 sent and ratifications of their Nobles in Parliamentary
 Councils, which for this reason is still mentioned in
 all their Charters and donations of such Lands and
 Rents to pious uses. Neither could they exempt
 those Lands from any of these three forenamed pub-
 lick charges (for the common defence and benefit of
 their Realms) by their own royal Charters alone, un-
 less ratified by the Nobles in their great Councils.
 Whereupon in all these forecited Charters, and o-

ther grants of Lands by particular persons, ratified by these Kings, they exempted them only from all secular services, exceptis Expeditione, Pontis & Arcis constructione, which they could not discharge them from, but by special Grants in General Parliamentary Assemblies, as subsequent Presidents will more fully demonstrate.

Anno 685.

(g) Simeon
Dunelmensis
Historia Dun-
el. Ecclesie,

l. 4. col. 57,

58. Gervasius

Doroberniensis,

Attus Pontif.

Cant. col. 1639.

Florentius wi-

gorn. An. 684.

p. 254. God-

wins Cata-

logue of Bi-

shop in the

li. Cuthbert.

Proposit. 10.

* Ethelwerdus
Hist. l. 2. c. 8.
calls it Leth-
lege.

(g) Theodor Archbishop of Canterbury, Anno 685. held a Council at Twyford, in the presence of Egfrid King of Northumberland, who going in person to St. Cuthbert (when as he neither by Letters nor Messengers could be drawn out of his Island Lindesfarne to the Synod) brought him to it much against his will: where, by the command of all the Synod, he was constrained to take upon him the Office of a Bishop: Whereupon King Egfrid by the advice of Archbishop Theodor, Bishop Trumwin, & totius Concilii, and of the whole Council, for the salvation of his and his successors souls, by his Charter gave to St. Cuthbert and all his successors, the Village called Creic, and 3 mile in circuit round about it, together with the City called Lugabadia, and 15 miles circuit round about it, to have to him and his successors, for the service of God for ever, as freely and quietly as he himself enjoyed them, and to dispose thereof at his pleasure; which Charter the Arch-Bishop and Bishops present in the Council, confirmed with their Subscriptions. What other Councils and Synods were held under this Arch-Bishop Theodor at Hartford, Clovesho, * Heathfield, (or Hatfeild) and what Canons were made in them, for the confirmation of the Christian faith, the 5 first General Councils, &c. you may read at leisure in Gervasius, Doroberniensis, Matthew Parker, and Godwin in his life, where they are recorded; and in Matthew Westminster, An. 880. Chronicon Johannis Bromton, Col. 741, 756, 799, 780. Radul. de Diceto Abbreviationes Chronic. Col. 441. Chronica Wil. Thorne, col. 1770, Henry Huntingdon, Historiarum lib. 3. p. 335, Spelmani Conci-

lia.

lia, p. 152. *Beda Ecclesiastica Historia*, l. 4. c. 5, 17,
18. Mr. Fox *Acts and Monuments* vol. 1. p. 160,
161. To which I shall refer you.

About the year of Christ 692. (r) Ina King of the West-Saxons, who succeeded Ceadwalla, by the exhortation and advice of Cenred his Father, Hedda and Erkenwald his Bishops, and of all his Aldermen (or Senators) and of all the Elders and Wifemen of his Realm, in a great Assembly of the Servants of God, for the salvation of his peoples souls, and the common conservation of his Realm, Enacted sundry Ecclesiastical and civil wholsom Laws, that by them just judgements might be founded and established, throughout his Dominions, and that from thenceforth it might be lawfull for no Alderman, Senator, or other person living within his Realm, to abolish these his Laws; tending all to advance Piety, Justice, Peace, and preserve his people from violence, rapine, oppression, and all Punishments, Taxes, Fines, but such only as were imposed, ascertained by his Laws and Parliamentary Councils, as you may read at large in the Laws themselves, especially *Lex* 2, 3, 4, 6, 9, 10, 11, 16, 17, 51, 73, 74.

In the year 694 (s) Withred King of Kent summoned Brithwald Archbishop of Canterbury, Toby Bishop of Rochester, with the other Abbots, Abbesses, Priests, Deacons, Dukes and Earls to a great Council at Beccanceld (or Baccanceld, as others write it) where consulting all together concerning the State of the Churches of God within that Realm, how they might establish and perpetuate to them to the end of the World, those Lands and Revenues which their pious Kings and Ancestors had granted and appropriated to God and his Church, as their perpetual inheritance, without subtraction or diminution, They thereupon enacted, decreed, and in the name of God Almighty commanded, that all their successors, both Kings and Princes, with all other Laymen whatsoever,

Anno 692.
(r) Ch. 92. Io-
hannis Brom-
ton col. 759.
to. 767. Lam-
bardi Archai-
on. Spelmanni
Concil. Tom. 1.
p. 122. to 136.
Mr. Seldens
Titles of Ho-
p. 632. Fox
Acts and Mo-
numents, vol.
1. p. 164.

Proposit. 1, 2;
4, 5.

Anno 694.
(s) VVilliam
Thorne Evi-
dentia Eccle-
siae Christi
cantuar. col.
2208. Spelm.
Concil. p. 189.
to 199.

Proposit. 4, 6,
10.

ver, should not invade the Rights, Lands or Dominions of the Churches, which they then confirmed; nor presume to violate the Privileges granted to them; and specially by king Withreds Charter, which they ratified in this Council with all their subscriptions; wherein he and they exempted Churches from all secular services and Tributes, but such as they should voluntarily and freely render without compulsion; which should not be drawn into custom to their prejudice; witnesse this Clause of the Charter, and exemption then confirmed; & **ab omni debito vel pulsatione Regalium Tributorum**, nisi sua spontanea voluntate, ex largitate beneficiorum quid facere velint; tamen hoc impofterum non servetur, nec habeatur in malam consuetudinem.

Anno 697.
(t) Spelm.
Concil. p. 194.

Proposit. 5.

The same (t) King Withred, in the Parliamentary Council of Berghamstead, Anno 697. by the advice and common consent of his Bishops, and other Ecclesiastical Orders; cum viris quibusdam militaribus; enacted sundry Ecclesiastical and civil Laws, to be added to the former Laws and customs of Kent: the first whereof is this, That the Church shall be free, and enjoy her Judgements, Rents, and Pensions.

Anno 700.
(u) Spelm.
Concil. p. 198.
Evidentiæ Ec-
cles. Christi,
Cant. col. 2208,
2209. Antiqu.
Eccles. Brit. p.
34, 35.

Proposit. 1. 10.

And (u) Anno Dom. 700. this king Withred, una cum consensu Principum meorum, together with the consent of his Nobles and Bishops (who subscribed their names to his Charter) granted to the Churches of God in Kent, that they should be perpetually freed **ab omni exactione publica tributi, atque dispendio vel latione**, à presenti aie & tempore, &c. From all publick exaction of Tribute, and from all damage and harm: rendring to him & his posterity, such honour and obedience as they had yeilded to the Kings his antecessors; under whom Justice and Liberty was kept towards them.

Anno 678,
10 706.
(x) VVill.

About the year of our Lord 678. (x) Wilfrid Arch-

Malmes. de Gest. Pontif. Angl. l. 3. p. 264. to 269. Chron. Iob. Brompt. col. 791, 792, 793, 794. Sim. Dunelm. de Archiepis. Ebor. col. 78. Spelman. Concil. p. 200. to 206. Mat. Parker, Tho. Stubs, Godwin in the lives of Archbishop Theodor, VVilfrid, and Britwald. Mat. VVestm. Anno 692, 711. Hist. Anglicanæ Scriptores antiq. An. 1652, col. 78, 294, 295, 296, 440, 441, 1691, 1741. Fox Acts and Monuments; vol. 1, p. 160, 161, Propos. 2, 4, 5, 7.

bishop of York being in a Council unjustly deprived of his Bishoprick by Theodor Archbishop of Canterbury, who envied the greatness of his Wealth, Power, and Diocess, which he would and did against Wilfrids will, in that Council divide into 2 more Bishopricks, was after that time exiled the Realm, through the malice of Egfrid king of Northumberland, and Emburga his Queen, (whom he would have perswaded to become a Nun, and desert her Husband, as some Authors write, and others deny in his favour) without any just and lawfull cause; and after that about the year 692. being again deprived of his Bishoprick and right by the Judgement and sentence of another Council held under Aldrid king of Northumberland, and Bertwald Archbishop of Canterbury; he thereupon made two successive appeals to Rome against their two unjust sentences, as he conceived them: The first to Pope Agatho, and a Council of 150 Bishops, held under him; who decreed, he should be restored to his Bishoprick, and make such Bishops under him (by advice of a Council to be held by him) as he should deem meet; with which decree against his first sentence, he returning from Rome to king Egfrid, to whom he delivered it, sealed with the Popes Seal; the king upon sight and reading thereof, in the presence of some of his Bishops, *tantum à reverentiâ Romana sedis abfuit*, was so far from obeying this Decree of the Roman See, that he spoiled Wilfrid of all his Goods and possessions, and committed him prisoner to a barbarous and cruel Governor; who thrust him into a dark dungeon for many days; and after that committed him to another more cruel Gaoler than he, called Tumber, who endeavoured to put him into Fetters by the Kings command; which he could no ways fasten upon his Legs, but they presently fell off again, through a Miracle. Whereupon wickedness giving place to Religion, he was loosed from his Bands, detained in free custody, and afterwards released, but not restored. After which, about the year 693. he appealed a-

Proposit. 7.

Anno 705.

gain to Pope John, against the proceedings of the second Council, which refused to re-admit him to his Archbishoprick, unless he would submit to the decrees of Archbishop Theodore, and Brithwald his successor; which he refused to do, unless they were such as were consonant to the decrees of the holy Canons, which he conceived theirs not to be, because they would order him to condemn himself without any Crime objected to him. Upon which appeal, this Pope, with his Bishops, pronounced Wilfrid, free from all Crime, and ordered him to return to his Archbishoprick; writing Letters to Ethelred King of Mercians, and Alfrid King of Northumberland to restore him thereunto. Alfrid receiving the Popes Letters by Wilfrids Messengers, altogether refused to obey the Popes commands in this Case; saying, 'Quod esset contra rationem, homini jam bis 'a toto Anglorum Concilio damnato, propter quælibet 'Apostolica scripta communicare: That it was against reason, to communicate with a man already twice condemned by the whole Council of the English Nation for any writings of the Pope (so little were the Popes authoritie and decrees then regarded in England, contradicting the kings and English Councils proceedings) neither would he restore him all his life. After his death Edulfe usurping the Crown by Tyranny, Wilfrid repaired to him to restore him to his Archbishoprick, upon this account of the Popes Letters; Whereupon he was so enraged with him for it, though formerly his great friend, that he presently commanded him to depart the Realm forthwith, unless he would be spoiled of all his goods, and cast out of it with disgrace. But this Usurper being deprived both of his Realm, Crown, and Life, in little more than 3 Months space, and Osred son of king Alfrid, being restored to the Crown by the Nobles, as right heir thereunto; at last Wilfrid was re-invested in his Bishoprick by the decree of a Council held under him in Northumberland, at a place called Niddan, Anno 705. not so much in obedience to the Popes command,

as king *Alfred*, attested by *Elfreda* his Sister, then Ab-
 bess of *Srenesham*; witness these words of *Berfride*,
 'Ego iussionibus Papæ obediendum censeo, præterrim
 'cum eorum robori, accedat Regis nostri *Iussio*. & no-
 'stræ necessitatis sponso, &c. Puer in Regem levatus,
 'hostis abactus, Tyrannus extinctus; est igitur Regiæ
 'voluntatis ut Episcopus *Wilfridus* re vestiatur. Upon
 which he was accordingly restored: whereupon all
 the Bishops embraced him, and reconciled them-
 selves to him.

This Bishop *Wilfrid* procured to the Church of *Ha-
 gustald*, which he founded, and was Bishop thereof,
 many privileges; and that for one miles circuit round
 about, none should be arrested going or coming, but *Proposit. 10.*
 enjoy inviolable peace. 'Quod institutum autori-
 'tate & privilegiis Romanæ sedis Apostolicorum, &
 ' Archiepiscoporum, & Episcoporum, & Regum & Prin- *[y] De Stat.*
 ' cipum tam Scotiæ quam Angliæ confirmatum est. Quod *& Episcopis*
 ' si aliquis *[y]* temerarius infringere audebit, & *Hagustaldensis*
 ' magnæ pecuniæ damno obnoxius erit, & perpetuo *Ecclesiæ, l. 1.*
 ' Anathematis gladio ab ecclesiâ seperabitur; as *c. 5. col. 292.*
Richard Prior of Hagustald records.

An. 708, 709,

712.

[2] Antiqu.

Ecclesiæ Brit.

p. 20. Balæus

script. Brit.

Centur. 1. c. 91.

94. 99. Centur.

Magdeb. 8.

c. 9. Spelm.

Concil. p. 209.

to 217.

Proposit. 5, 6,

10.

Anno Domini 708 [2] *Egwin* Bishop of *Worcester*,
 procured king *Kenred* and *Offa* by their Charters, to
 grant and confirm many Lands and Privileges to the
 Abbey of *Evesham*; which Pope *Constantine* likewise
 ratified by his subscription at *Rome*, as well as these
 kings, in the pretence of many Archbishops, Bishops,
 Princes and Nobles of divers Provinces, who commen-
 ded and approved their Charters and Liberality. In
 pursuance whereof, Pope *Constantine* writ a Letter to
Brithwald Archbishop of *Canterbury*, to summon *Conci-
 lium totius Angliæ*, a Council of all *England*, to wit,
 of the Kings, Bishops, Religious persons of Holy Orders,
 Optimatesque Regni cum proceribus suis, with the No-
 bles and great men of the Realm; who being all assembled
 together in the name of the Lord; The Archbishop should

in their presence, read the Charters of these Kings and the Popes confirmation of them, that they might be confirmed by the favour and assent of the Clergy and the people, and consecrated with their Benediction. Whereupon king Kenred and Offa, after their return from Rome, assembled a General Council in a place called *Alne*, where both the Archbishops *Brithwald* and *Wilfrid*, with the rest of the Bishops, Nobles, and these two Kings were present: wherein, *Donationes omnes confirmatae sunt*, all these their Donations and Charters were confirmed; and likewise in another Synod at *London*, An. 712. A most pregnant evidence, that these kings Charters and Donations, though ratified by the Pope himself, were not valid nor obligatory to their successors or people, without their common consent to, and confirmation of them in a general Parliamentary Council of the Prelates, Nobles, Clergy and Laity, even by the Popes and these kings own confessions and practice in that age.

An. 716.

[a] *Ingulph.*
Hist. p. 851,
852.

Proposit. 10.

In the year of our Lord 716. [a] *Ethelbald* king of *Mercians*, by his Charter gave to God, the blessed *Virgin*, *Saint Bartholomew* & *Kenulphus*, the whole Isle of *Croyland*, to build a *Monastery*; and confirmed it to them for ever, free from all Rent and secular services; & inde *Chartam suam in praesentia Episcoporum, Procerumque Regni sui securam statuit*; all his Bishops and Nobles of his Realm assenting to, and ratifying this Charter of his, both with the subscriptions of their names, and sign of the Cross, as well as the King; that so it might be firm and irrevocable, being his demesne Lands, which Charter is at large recorded in the History of *Ingulphus*.

An. 720.

[b] *Leges Ed.*
Confessoris e.
25. *Spelman-*
ni Concil. p.
219. See *Polychronicon*, l. 5. c. 28. *Mat. VVestm.* An. 586.

About the year of Christ 720. [b] some (fabulously) write, that king *Ina* took *Guala* daughter of *Cadmalla-*
der, last king of the *Britons* to wife, with whom he received *Wales* and *Cornwal*, and the blessed Crown of

Britain. Whereupon, all the English that then were, took them wives of the Britons race; and all the Britons took them wives of the illustrious blood of the English and Saxons, which was done. **Per commune Concilium et assensum omnium Episcoporum ac Principum, Procerum, Comitum, et omnium Sapientum, Seniorum, et populorum totius Regni,** (assembled together in a General Parliamentary Council) **Et per preceptum Regis Ina;** whereby they became one Nation and People. After which; they all called that, the Realm of England, which before was called, the Realm of Britain, and they all ever after stood together, united in one, for common profit of the Crown of the Realm, and with a unanimous consent most fiercely fought against the Danes and Norwegians, and waged most cruel wars with them, for the preservation of their Country, Lands and Liberties.

Propost. 5, 6.

An. 705. King [c] Ina by his Royal Charter, granted and confirmed many Lands to the Abbey of Glastonbury, endowing that Abbey and the Lands thereto belonging, with many large and great Privileges; exempting them from all Episcopal Jurisdiction, and from all regal exactions and services, which are accustomed to be exacted and reserved; to wit, from Expedition and building and repairing of Castles or Bridges; from which they should inviolably remain free and exempted, and from all the promulgations and perturbations of Arch-Bishops and Bishops: which privileges were formerly granted and confirmed by the ancient Charters of his Predecessors **Kenneth, Marston, Guthred, and Baldred.** This Charter of his was made and ratified by the consent and subscription, not only of King Ina himself; but also of Queen **Egthurga**, King **Baldred Adelaar**, the Queens **Brother**, consentientibus etiam omnibus Wiltamla Regibus, Archiepiscopis, Episcopis, Ducibus, atque Abbatibus, all the Kings, Archbishops, Bishops, Dukes, and Abbots of Britain, consenting likewise therunto; ma-

Anno 725.
[c] Spelman.
Concil. p. 227.
228, 229. &c.
Chron. Johan.
Bromton. col.
758. & Monasticon Angl.
Proposition 6,
10.

ny of which subscribed their names unto it, being assembled in a Parliamentary Council for that end.

An. 727.

[d] Mathew
westm. An.
727. p. 765.

Proposit. 1, 5. 6.

King [d] Ina, In the year 727. travelling to Rome, built there a school, for the English to be instructed in the faith; granting towards the maintenance of the English Scholars there, a penny out of every house within his Realm, called *Romescot*, or *Paperpence*, to be paid towards it every year. All which Things and Tax; That they might continue firm for perpetuity, Statutes and General decrees, &c. were confirmed by a general decree of a Parliamentary Council of this Realm; then held for that

[e] Part. 2. p. purpose; of which [e] before more largely.

71.

An. 742.

[f] Eviden-
tia Eccles.
christi Cantu.
col. 2209.
Spelmanni
Concil. p. 230,
231. Antiqu.
Eccles. Brit. p.
21.

Proposit. 5. 10

In the year of our Lord 742. There was [f] a Great Parliamentary Council held at Clovesho (or Clyffe) where Ethelbald King of Mercia late President, with Cuthbert Archbishop of Canterbury; the rest of the Bishops sitting together with them, diligently examined things necessary concerning Religion; and studiously searched out of the ancient Creeds and institutions of the holy Fathers; how things were ordered according to the rule of equity in the beginning of the Churches birth in England; whilst they were inquiring after these things, and the ancient privileges of the Church, at last there came to their hands, the Liberty and Privileges which King Withred had granted to the Churches in Kent: which being read before all, by King Ethelbalds command; they were all very well pleased therewith, and said unanimously, That there could not be found any so noble and so prudent a Decree as this, formerly made, touching Ecclesiastical Discipline; and therefore, *Hoc ab omnibus firmari sanxerunt*, decreed that it should be confirmed by them all. Whereupon King Ethelbald for the salvation of his soul and stability of his kingdom, confirmed and subscribed with his own munificent hand; And the Liberty, Honour, Authority, and security of Christe Church in all things, should be denied by no person, but that it should be preserved from all secular services, with all the lands pertaining there-
unto

unto, except Expedition and building of Bridge and Castle. And like as the said King Withred himself ordained, those privileges should be observed by him and his, so he and this Council commanded, they shall continue irrefragably and immutably in all things. And if any of our Successors, Kings, Bishops, or Princes shall attempt to infringe this wholesome Decree, let him render an account to Almighty God in that terrible day; But if any Earl, Priests, Clerk, Deacon or Monk shall resist this Decree, let him be deprived of his degree, and sequestered from the participation of the body & blood of the Lord and alienated from the kingdom of God, unless he shall amend with due satisfaction, what he hath unjustly done, through the evil of Pride.

[g] Anno 747. There was another Parliamentary Council held at Clovesho, or Clyffe, under king Ethelbald, where the king himself, with Cuthbert, Archbishop of Canterbury, eleven other Bishops, *cum Principibus et Ducibus*, with the Princes and Dukes, were present. An. 747. [g] Ingulph. Histor. p. 853. will. Malmsh. de gest. Reg. l. 1. c. 4. p. 29. Antiqu. Eccl. Bri. p. 22. Spel. Conc. p. 242. to 258. Mat. westm. An. 748. Malmsh. de gestis Pont. l. 1. in Cuth. p. 197. Propost. 1, 5; 12.

In this Council were some Ecclesiastical Laws and Canons made, the last whereof was, for Prayers to be published made for Kings and Princes incessantly; that the People might live a Godly and peaceable life under their pious protection. In this Council king Ethelbald renewed and enlarged his former Grant of Privileges to the Church, recited at large in the Marginal Authors, the sum whereof is this,

Plerumque contingere solet, pro incertâ futuro rum temporum vicissitudine, ut ea quæ prius multorum fidelium personarum testimonio consilioque robustata fuissent, ut fraudulenter per contumaciâ plurimorum & machinamentis simulationis, sine ullâ consideratione rationis, periculose dissipata essent, nisi auctoritate Literarum, & testimonio Cyrographorum æterna memoria inserta sint. Quapropter Ego Ethelbaldus Rex Merciorum, pro amore cælestis patriæ, hanc donationem tunc vivente concedo; Ut omnia

'Monasteria & Ecclesia Regni mei, A publicis vecti-
 'galibus, & ab omnibus operibus, oneribusque absolvantur,
 'nisi in instructionibus Arcium vel Pontium, quæ nulli
 'unquam possint laxari, (as Ingulph. renders it, or as other
 Copies; 'nisi sola quæ communiter fruenda sint, omniq;
 'populo edicto Regis, facienda jubentur, id est, instru-
 'ctionibus Pontium, vel necessariis defensionibus Arcium
 'contra hostes, non sunt evnenda.) Sed nec hoc præsermit-
 'tendum est, cum necessarium constet Ecclesiis Dei. Præ-
 'terea habeant famuli Dei propriam Libertatem in
 'proficuis Sylvarum, in fructu Agrorum, in captura
 'piscium; nec munuscula præbeant Regi, vel Principibus,
 'nisi voluntaria, sed liberi Domino serviant, in contempla-
 'tione pacificâ, per totum regnum meum usq; in ævum.
 'Sed cunctas tribulationes quæ nocere vel impedi-
 're possint in Domo Dei, omnibus Principibus sub meâ
 'potestate degentibus, demittere & auferre præcipio;
 'Quatenus sublimitas Regni mei prosperis successibus
 'polleat in terris, & meritorum manipuli multiplici-
 'ter maturescant in cœlis. Qui verò hæc benigna men-
 'tis intentione atque in læsâ cogitatione custodierit,
 'æternâ claritate coronetur, ornetur, glorificetur; Si
 'quis hoc, quod absit, cujuslibet personæ tyrannica en-
 'piditate, institerit, contra hanc donationis chartulam
 'læculari potentiâ fretus venire nititur, sit sub Anathe-
 'mate Jude Proditoris Domini nostri Jesu Christi. Ad
 'confirmandum verò hoc nostræ beneficentiæ munus, Hi
 'Telles adstiterunt, & Postri Magistratus, Optimates,
 'et Duces, fidelissimique amici concesserant et scripte-
 'runt: Then follow the subscriptions of the King, Bi-
 'shops and Nobles; with, Ego his statuta consentiens
 'subscripsi, confirmandoque signum crucis aravi.

[b] Chron. iv. In this [b] Council, amongst other Synodal Decrees
 Thorne, c. 3. subscribed by the Bishops, It was decreed, That the
 fest. 7. col. Feast of St. Gregory the Pope, and St. Augustine the En-
 3772. glish Apostle, should be perpetually observed with great
 Proposition 5, est solemnity, King Ethelbald, with his nobles,

being

being there present, and approving it.

In the year of Grace 732. Canred king of the West-Saxons being unable to endure the proud Exactions and Insolencies of king Ethelbald, for vindication of his own and his peoples Liberty from his oppressions, raised an Army, and fought a bloody Battel with him at Beorford, where through Gods assistance (who giveth grace to the humble, and resisteth the Proud) he routed him and his whole Army, and after, An. 755. slew him in a second battel (he disdainig to fly) by the Treachery of Berned, his Captain, the chief Author of his death.

[King] Canred deceased, Sigibert his kinsman who succeeded him, growing insolent and proud by his predecessors great successes, became intollerable to his Subjects, treating them very ill in every kind, Depraving or altering the Laws of his Ancestors, for his own private Lucre, and exercising exactions and cruelties upon his Subjects, setting aside all Laws. Whereupon his faithfull Counsellor Earl Cumbra, ovingly admonishing him to govern his people more mildly and justly, that so he might become amiable to God and men; he was so incensed with him, that he commanded him most wickedly to be slain, and became more cruel and tyrannical to his people than before. The Peers and Commons hereupon seeing their Laws and Liberties thus violated, and their Estates and Lives every day in danger, being incensed into fury, assembling themselves together, did all unanimously rise upon Arms against him, and upon mature prudent deliberation, by the unanimous consent of all, expelled him the Kingdom for his Tyranny and mis-government. Upon which Sigibert flying into the woods for shelter, like a forlorn person, was there slain by Cumbra his swine-herd, in revenge of his Masters murder. Florentius Wigorniensis relates, that after his expulsion from the Realm by the Nobles, for the multitude of his unjust deeds; Ke-

Anno 752.

[i] Matthew

Westm. p. 273.

Chron. I. Johan-

nis Bromton,

col. 769, Hun-

tindon. Hist. l.

4. p. 341. See

Holinshed,

Speed, Graf-

ton in their

lives, VII.

Malmesbury

de gest. reg. l.

1. c. 4. p. 28.

Propos. 1, 2,

4.

Anno 756.

[k] Matthew

Westm. An.

756. p. 274.

Chron. Johan-

Bromton, col.

770, 796. Civil.

Malmesb. de

Gest. Reg. l. c.

2. p. 151. Hen-

Huntindon,

Hist. l. 4. p. 341,

342, Florent.

Wigorn. An.

755. p. 274.

Polychron. l. 1.

c. 25. Cap-

grave, Fabian.

Holinshed,

Speed, Graf-

ton in his life,

and the life of

Kenulphus,

Heveden, An-

nal. pars prior.

p. 408.

milphus Propos. 1, 2, 4.

nulphus, allotted him the County of Hampshire for his maintenance, until he flew Earl Godwin (such was the Charming and Humanity of those times, even to an expelled, deposed Tyrannical King, none spared out of date) with whom Ethelwerdus, *Hist. l. 2. c. 17.* and *Polychronicon, l. 5. c. 24.* accord. Some of our Historians (especially Ethelwerdus and Wigorniensis) relate; that Kenulphus usurped the Crown by sheer force of Arms, first drawing the Nobles and People to rise up against, and expell Sigebert for his exorbitant actions, and the multitude of his unjust deeds, and then usurping the Throne, being not of the blood Royal (as Malmesbury relates) though of a Noble family: But they all [1] unanimously record, that he came to a miserable end upon this occasion. When he had reigned 31 years with honour and good success, being puffed up therewith, and fearing lest Kienatus (Sigebert's Brother) who began to be potent, should revenge his Brother's death upon him, and dispossess him or his posterity of the Crown, he banished and compelled him to depart his Kingdom. Who thereupon giving way to the time, voluntarily fled out of his Dominions. But soon after secretly drawing together (through private Conventicles) a band of desperate men, he found an opportunity to fall upon Kenulphus, when he went with a few followers to visit his Paramore at Merton, where he besetting the House, slew the King, with all his followers. The same of which Act coming to his Nobles and Souldiers not far from the place, They upon Exhortation of Esric, the chiefest of them, not to let pass the death of their Lord unrevenge'd, to their notorious and perpetual infamy, furiously encountered Kenulphus and his Complices, and notwithstanding all their fair promises of Money & preferments to them, and all intreaties, after a sharp bloody encounter, put them all to the sword, with the loss of some of their own lives. Ecce quomodo Dei Intititria, non solum futuro seculo, verum etiam in isto, digna meritis manifesta iudicio recompensatur. Add

Henry

Henry Huntingdon, Roger Hoveden, John Brompton, Malmesbury, and others, as a Corollary to this History of Sigibert, and Kenulphus. Which all Traitors, Tyrants and Usurpers treading in their exorbitant footsteps, may do well advisedly to consider.

In the year of our Lord 758. [m] The people of the Realm of Mercia rising up against their King Berned. because he governed them not by just Laws, but by Tyranny assembled all together in one, as well Noble as Ignoble; and Offa being their Captain, expelled him out of the Kingdom, and then by the unanimous consent of all, as well Clergy as people, they crowned Offa King. This Berned, (as Malmesbury, Specu. and Simeon Dunelmensis write) treacherously murdered King Ethelbald his Sovereign whose General he was, and thereupon usurping his Throne, and turning a Tyrant, (as most Usurpers do) in the very first years of his usurped reign, expelled the Realm, and soon after slain by Offa; and so dignum finem insidiarum tulit, being Author necis of his Sovereign, King Ethelbald, a suis insidiis fraudulenter interfecit, as our Historians observe. A good Memento for other Traitors and Usurpers treading in his footsteps; 'Qui Regnum Tyrannus invasit, & per modicum tempus in parva libertate & jocunditate tenens, Regnum cum vita perdidit, as Wigorniensis writes of him.

The [n] English complaining to King Offa, in the year 775. of the great exactions in forin parts under Charles the Emperour they being then at variance, so as their trading and merchandise was every where prohibited in barbarian Realms; thereupon King Offa by gifts sent to the Emperour obtained this Canon and Privilege from him for his Subjects. That all Pilgrims passing through his Dominions to Rome for piety and devotion sake alone should have free and peaceable passage without any molestation or Taxation. That all Merchants and others in the company of Pilgrims passing over for any

An. 758.
[m] Mat. west.
An. 758. p.
274. VII.
Malmesb. de
gest. reg. l. 1. c.
4. p. 28. Sim.
Dunelm. Hist.
col. 109. chron.
Jo. Brompt. col.
770. 778. Hen.
Huntingd. Hist.
l. 4. p. 342.
346. Hoveden.
Annal. pars. 1.
p. 408. Spreds
Chron. p. 254.
368. See Polyc.
Fabian, Graft.
Holinshead in
his and Offa
his life, VII.
Gorn. An. 755,
p. 274.
Prop. 1, 2, 4, 5.

An. 775.
[n] Mat. west.
p. 278, 279,
290. VII.
Malmesb. de
gest. reg. l. 1. c.
4. p. 22. Spal.
Caecil. p. 315.
Proposit. 1, 4.

tion, should pay only a certain established Tribute in fitting places. That all English Merchants and Traders should have lawfull protection, by his command, within his Realm, and if in any place they were vexed with unjust oppression, that upon complaint to him or his Judges, they should have full justice done unto them.

In the year 780. *Ethelred*, or *Adelred*, king of Northumberland, was deposed by his Subjects after he had reigned 3 years, and quite driven out of his Realm by his Nobles; who the next year after assaulted and burnt a certain Confull (or Earl) being their justice in his own house, *plus quod se bidentem*, for establishing beyond the Bounds of Law and Right. I shall not insist upon the manifold Inturrections of these Northumberlanders against their kings; nor their disloyal depositions, expulsions, Murders of most of them, upon pretended oppressions and Exorbitancies in Government, rather than real; nor on the strange, general, bloody, frequent depredations, wars, devastations, Plagues, Judgements, Invasions by Danes, Normans, Scots, and others, inflicted justly on them for the same by Divine Justice, more than on all other parts of this Island, since I have touched some of them [p] before, and shall glance at more of them hereafter; all which the Reader may read at large, in *Malmesbury*, *Huntindon*, *Hoveden*, *Ethelmerdus*, *Marheri Westsaxonensis*, *Bromton*, *Elorentius Wigorniensis*, *Simon Dunelmensis*, *Radolphus de Diceto*, *Polychronicon*, *Holinshed*, *Speed*, and others. Only I shall give you the sum of them about this age in the words of *Simon Dunelmensis*, and *Richardus Hugobaldensis* [p]. *Crudelis et inde Barbarorum viribus immensis navibus in Angliam exordia Christianitas & Religio totius Northumbrie, & Richardus Hugobaldensis, de Stat. & Episcopis Hugobaldensis Ecclesie, fol. 300. See Marheri Ecclesie Brit. p. 32, 33, 34. Sim. Dunelmensis Hist. de Gestis Regum Angl. fol. 199. Chron. Joh. Bromton, col. 266. The Status Alti Pontif. Eboracen. fol. 1708. Hen. de Knyghton de Event. Angl. l. 2. c. 2. p. 11. Malmesb. de Gest. Reg. l. 3. p. 103. Hen. Huntind. Hist. l. 7. p. 306. Hoveden. Annal. pars prior, p. 277.*

transvecta, omnia quaque versum depopulans, Nor-
 thunhybrorum autem provincias atrocitus devastans,
 omnes Ecclesias, omnia Monasteria ferro, & incen-
 dio delevit, adeo ut nullum penè Christianitatis
 signum post se discedens reliquerit. Monachi qui lo-
 ci reverentia confidentes remanserunt de Ecclesiâ
 extracti, alii in mare sub hostibus submersi, alii Cap-
 tivi abducti, alii detruncati, alii aliis tormentis mi-
 serabiliter affecti, omnes simul interiêrunt. Et inde
 profiliens flammâ et ferro, in exterminium omnia
 duxit, &c. After which sad successive devastations
 for sundry years by the Danes, they were so totally
 depopulated, and extirpated by Famine, Sword, and Pe-
 stilence by the Normans, An. 1069. that the whole
 Country was reduced into a desolate Wilderness, without
 an inhabitant, and lay untilld for nine years space; besti-
 arum tantum & latronum latibula; being only Dens of
 Beasts and Theeves. And how many times it hath
 been wasted, depopulated with fire and sword since
 this, by the Scots, and what barbarous cruelties they
 have exercised therein, you may read in the Continu-
 ation of Simeon Dunelmensis by the Prior of Hagustald,
 col. 264. in Historia Ricardi Prioris Hagustaldensis de
 Gestis Regis Stephani & bello Standardi, col. 315, 316.
 and other Chronicles since that time. The Lord in
 Mercy divert the like judgements from that Northern
 part, and the whole kingdom now, for the like trans-
 gressions of a later date.

In the year of Christ 787. (as most account) [r] Pope Anno 787.
 Adrian sent Legates into England, to confirm the faith [r] Hen. Hun-
 which Augustine had preached: who being honoura- linton Hist. 4. p. 343.
 Matthew Westminster An. 789. p. 281. Antiqu. Eccles. Brit. p. 26. Cent. Man-
 deburg. Cent. 8. v. 9. Hoveden Annal. pars prior, p. 410. Florentius Vigornien-
 sis, An. 785. Spelmanni Concil. p. 292, to 395. Malmesbury de gestis regum, l. 1.
 c. 4. & de gestis Pontif. l. 1. p. 198, 199. Matthew Parker, and Godwin in
 life of Jamber. Chronica VVil. Tborne, col. 1774. Gervasius Dorobern. Actus Pon-
 tif. Cent. col. 1641. Radulphus de Diceto Abbrevi. Chron. col. 445. Polychron. l. 7.
 c. 13. Proposit. 52. 6.

Proposit. 3. 6.

bly received both by the Kings, Clergy, and People : thereupon held a great *Parliamentary Council* at *Calchut*, *Chalchuthe*, or *Cealtide* (as *Henry Huntingdon* styles it.) In this Council *Offa* king of *Mercians*, and *Kenulphus* king of *West-Saxons*, with all their *Ecclesiastical* and *secular Princes, Nobles, Elders, Bishops, Abbots*, were present; who all subscribed and consented to the *Ecclesiastical* and *Temporal Laws and Canons* therein made and published, being 20 in Number; The principle whereof relating to my *Theam*, I have formerly recited. In this *Parliamentary Council* King *Offa* caused *Egfrid* his eldest son, to be solemnly crowned King, who from thenceforth reigned with him, And in it *Jambertus* (or *Lambert*) *Archbishop* of *Canterbury*, much against his will, resigned part of his *Arch-Bishoprick* to the *Arch-bishop* of *Litchfield*, by the command and power of King *Offa*; who envying the power and Pride of the *Archbishop* of *Canterb.* deprived him in this Council (notwithstanding all *Jamberts* appeals to Pope *Adrian*) of all Lands and Jurisdiction within his *Realm* of *Mercia*, erecting a new *Arch-bishoprick* at *Litchfield*, to which he subjected all the *Bishops* of *Mercia*, (being then six in number) till by another Council they were reunited to *Canterbury*, after the decease of *Offa*.

Anno 788.

[s] *Hen Huntingdon*, *Hist.*

l. 4. p. 349.

Hoveden Annalium, pars

prior, p. 409.

410. *Florentius**us Vigornienfis*, Anno

781, 787, 788,

789. *Spelman**Concil.* p. 303,304. *Simeon Dunelm.**Hist.* 110. *Mat V Kestm.*Anno 789, 791. *Richardus Prior.**Hagust.* *Eccl.* l. 1. c. 17. col. 297.

[s] About the year 788. (there being some difference amongst *Historians* in the year) there was a great Council held at *Ade*, and after that another Council kept at *Wincenbale* or *Pincanbale* in *Northumberland*, now called *Finkel*. *Sir Henry Spelman* conceives, that these Councils were principally summoned to prevent the incursions of the *Danes*, who in the year 787. came into *Britain* with 3 ships; to discover the Coasts and prey upon it, slew King *Britticus* his *Provost*, and after that many thousand thousands of the *English* at sundry

times

times. After this there was another Parliamentary Council or Synod held at *Actea*, or *Actlth*; at which time Duke *Stega* by wicked Treason slew his Sovereign *Alfwold*, king of *Northumberland*, and was, not long afterwards, slain himself by the *Danes*, (who miserably wasted and destroyed that rebellious kingdom of *Northumberland* with fire and sword) as a condign punishment for their treasons, Rebellions and Regicides of their Kings.

[t] Anno 792. there was a Council held at a place called *Fincale*, where the Archbishop with his Suffragan Bishops, and many others were present: What the occasion of it was, appears not: only our Historians relate, That *Osred* king of *Northumberland*, was this year chased out of his Kingdom by his rebellious subjects, when he had reigned but one year, and *Ethelred*, son of *Mollo* substituted King in his place. Whereupon *Osred* gathering forces together to expel *Ethelred*, which had expelled him out of his Realm, was in his march into it again taken prisoner and slain by this Usurper at *Tymmouth*. Upon occasion of which Insurrections and Wars, I conceive this Council was most probably summoned. Soon after this usurping Regicide *Ethelred*, was slain himself, even by those seditious Subjects who expelled and slew *Osred*, to advance him to the Throne. The common fate of bloody Usurpers, especially in this kingdom of *Northumberland*, as our Historians observe.

(u) King *Offa*, in the year 793. called a Provincial Parliamentary Council, where Arc^b bishop *Humbert*, and his Suffragans, with all the Primates and Bishops were present; wherein he treated with them about founding the Monastery of *St. Albane*, the first Martyr, in the place where his Corps was found: endowing it with lands and Privileges. *Placuit omnibus Regis propositum*. Whereupon they concluded, the King should go to *Rome* in person, and procure from the

Anno 792.
[t] Matibem
West. p. 282.
Mamesbury de
gest. reg. l. 1.
c. 3. Huntind.
Hist. l. 4. p.
343. 344.
Hoveden An-
nal. pars prior,
p. 410. Flo-
rent. Vigorn.
An. 792. E-
thelredi Hist.
l. 3.

Proposit. 5. 9.

Anno 793.
(u) Matthew
Westm. An.
794. p. 287,
288, 289. Spel.
Concl. p. 300.
to 316. Chron.
Joh. Bromf. fol.
754, to 757.
Polychron.
l. 5. c. 17.

Proposit. 6, 10.

Pope the Canonization of St. Albane, and a Confirmation of Privileges to the Abbey he intended to build. He repairing to Rome accordingly, the Pope commending his Devotion, gave him his full assent, both to found a Monastery, and endow it with all such Privileges as he desired: enjoyning him, that returning to his Country, *ex Consilio Episcoporum, & Optimatum suorum*, by advice of his Bishops and Nobles, he should confer to the Monastery of St. Albane, **what Possessions or Privileges he would**; which he should grant or confirm to it by his special Charter first; and afterwards he would confirm his original with his Privilege and Bull. The king hereupon receiving the Popes Benediction, returned home, and held two great Councils for the settling of the Lands, Privileges and Liberties of St. Albane: The one at Celcyth, where were present, 9 Kings, 15 Bishops, and 20 Dukes (as John Stow relates in his Chronicle) who all subscribed and ratified his Charter of Lands and Privileges granted to St. Albane. The other Council was held at Verolam, which Matthew Westminster thus expresseth. *Congregato apud Verolamium Episcoporum & Optimatum Concilio, unanimi omnium consensu & voluntate, beato, Albano Amplas contulit terras, & possessiones innumeras, Quas multiplici Libertatum privilegio insignivit. Monachorum vero conventum ex Domibus bene Religiosis ad Tumbam Martyris congregavit, & Abbatem eis Nomine Willegodum prefecit, cui cum ipso Monasterio, Jura Regalia concessit.* This king then reigning over 20 Shires, at the same time (by the unanimous assent of the Bishops and Nobles) (x) gave out of all those Counties to the English School at Rome, Peter-Pence, in English called Romescot. Yet he privileged the Church of St. Albane with so great Liberty, that this Church alone should be quit of the Apostolical Custom and Tribute called Romescot, when as neither the King nor Archbishop, nor any Bishop, Abbot, or Prior, or any other in the Realm was exempted from

(x) See Radol. de Diceto Ab-
brev. Chren.
col. 446, &
Spelm. Concil.
p. 310. to 314.

Proposit. 1, 6.

from this payment. And likewise granted, that the Church of *St. Albane* should faithfully collect the said *Remescot*, from all the County of *Heriford*, wherein the said Church is situated, and receive the money collected to that Churches own use. And that the *Abbot* thereof, or a Monk constituted his *Archdeacon* under him, should exercise *Episcopal Authority* over all the *Priests & Laymen* within the possessions belonging to the *Abbey*, and that he should make subjection to no *Archbishop, Bishop, or Legate*, but only to the *Pope* himself. So as that Church hath *omnia jura Regalia*; and the *Abbot* thereof for the time being, *Pontificalia ornamenta*. And that by the great Charter of this king then made, with the unanimous consent of all his *Bishops* and *Nobles* in this great Council. What Lands he gave to the Monastery of *St. Augustines* and *Christ-church* in *Canterbury*, and the *Archbishops* there, you may read at large in the *Chronicles of William Thorne*, col. 1775. and *Evidentie Ecclesie Christi Cantuariensis*, col. 2203, 2219.

(y) King *Offa* deceasing An. 797. his Son *Egfrid*, so soon as he was settled in his Fathers kingdom, imitating the pious footsteps of his Father, devoutly conferred many Lands and possessions on the Church of *St. Albanes*, and confirmed them by his Charter and Privilege; with all those other Lands, Privileges and Royal Liberties which his Father had conferred on the said Church, to enjoy them in the freest manner. *Et ejus Do-*

natio, ut perpetuæ firmitatis Robur obtineret, juxta morem Romanæ Ecclesiæ, omnium Episcoporum Comitum et Baronum totius imperii sui (assembled in a general Council of the Realm) *Subscriptionem, et signum crucis apposuit*, Causing all his *Bishops, Earls, and Barons* of his whole Realm to subscribe and ratifie his Charter and Donation with the sign of the Cross, after the manner of the Roman Church, That it might be of perpetual force and validity. Moreover declining his Fathers covetousness in all things, whatever he for

Anno 797.

(y) Mat. west.

Anno 797,

p. 290, 291.

Alcuini Epist.

Osbert. Speeds

History p. 371.

Chron. Iohann.

Brom. col. 753.

754, 776.

Proposit. 10.

the exaltation of his Kingdom, had diminished one of the possessions of divers Monasteries, he, out of a pious devotion, restored and confirmed with his Privilege (or Charter) to all who desired it.

This pious King Egfrid, (as our Historians observe) and let others note it who gain their Kingdoms, Powers, Possessions by Bloodshed and Treason (was taken away by sudden death on the 141 day after his Fathers decease) (which gave great cause of grief to all the people of his Realm) not for his own sins, which is not to be supposed; but because his Father (pro Regni sui confirmatione sanguinem multum effudit) **for the confirmation of his Kingdom shed much blood.** For he (2) came

(2) See Mat. Westm. Malmesbury, Hunc London, Hoved. Radulph. Ca. Strensis, Ethelwerdus, VVigorn. Speed, Grafton, Holinshed, Fab. in his life. Ch. 10. Brom. col. 750. 751, 752. Radulph. de Dice. 10 Abbreviat. Chron. col. 445, 446. Polichron. col. l. 5. c. 16, 17.

to the Crown by the slaughter of King Bernred, fore-mentioned; deposed and slain by him for his usurpation, Tyranny, and Mis-government, then he invaded and slew with his own hand Alrick King of Kent, routed his forces, and reduced that kingdom under his own: After this, marching from South to North, even beyond Humber, he made Havock of all that stood in his way: Whence returning in Triumph, he set upon the West-Saxons, and vanquished them, forced their king Kenwolf to fly into Wales to the Britons for aid; then entered into Wales, routed their King Marmodius, for breaking his Truce; made a great slaughter of the Britons & after ten years prosperous wars to conquer others, returned victoriously into his own territories. After his return thither, to compleat his bloody Tragedies, Ethelbert King of East-Angles coming upon solemn invitation to his Court in great state, to marry his Daughter, was there treacherously murdered by his Wife Quendreda's solicitation and practice, with his privity and consent, who caused a deep pit to be digged in his Bed chamber, under his Chair of State, or Bed, into which he falling was there treacherously murdered, and his head cut off by Gaymbertus, who presented it all bloody to King Offa; who (to colour the business) seeming to be sorrowfull

rowfull for this murder, shut himself up in his Chamber, and there fasted 8 days space, but then, sending a great Army into the Kingdom of this murtherea Prince, seized on & united it to his own Empire. But Gods exemplary vengeance pursued this hainous bloody Treachery (notwithstanding all his feigned magnified Saintship, and works of Charity and Piety) for, within one year after this bloody fact committed, both Queendreda, Offa, and their Son Egfrid (the only joy and pride of his Parents) all died, and his very kingdom it self was translated from the Mercians to the West-Saxons, whom he had conquered and oppressed. O that all men of blood, and unjust invaders of others Crowns, Realms, Possessions by war, bloodshed and Treachery, would seriously consider this President, with all others of this nature both at home and abroad, collected to their hands by Sir Walter Rauhly, in his excellent Preface, before his famous History of the World.

About the year of Christ 797. (a) Cynwolfe (or Kenulph) King of West-Saxons held a Council, wherein he ^{An. 797.} ^{(a) Bonif. Mon.} with his Bishops, ^{gunt. Ep. 112.} ^{Mr. Seldens} *unacum caterba Satraparum*, and likewise with a great company of his Nobles, there assembled, writ a Letter to Lullus Bishop of Mentz ^{Titles of Honour, part 2. c. 5. p. 632.} touching some matters of Religion then in Debate.

In the (b) year 798. (the third of King Kenulph his reign) there was a great Parliamentary Synod assembled at Pinchamhalch, wherein Eanbaldus, or Embaldus, ^{Anno. 798.} ^{(b) Tho. Stubbs,} Archbishop of York sate President, with very many wise ^{Ætius Pontif.} ^{Ebo. col. 1697.} ^{1698. Simeon} ^{Dumelm. Hist.} ^{col. 114, 115.} ^{Rog. de Hove-} ^{den, Annal.} ^{pars prior. p.} ^{406.} and great Men; by whose Wisdom and Justice the Kingdom of Northumberland was then much advanced and renowned: Who after they had debated many things concerning the benefit of holy Church, and profit of all the Provinces of the People of Northumberland; the observation of Easter, and of Divine and secular Laws, the increase of Gode service, and the honours and necessities of the servants of God, rehearsed and ratified the faith of the 5 first General Councils, concerning the Trinity, in brief and pithy

thy expressions, fit now to be revived in these times of Heresie and Blasphemy.

(c) Evidentiæ
Eccl. Christi
Cantuar. col.
2211, 2212.
Spelm. Concil.
p. 317. Mar.
West. Anno
798.

Propos. 5, 8, 9.
10.

The (c) same year, there was another Great Council held at *Racanceld*, wherein *Kenulph* King of *Mercians* late President, *Athelardus* Archbishop of *Canterbury*, 17 other Bishops, sundry Abbots, Arch-deacons, and other fit persons being there likewise present; Wherein, by the command of Pope *Leo*, it was decreed; That from thenceforth no Laymen should exercise Dominion over the Lords Inheritance and Churches; but that they should be governed by Holy Canons, and the Rules of their first founders and possessors, under pain of Excommunication: and that Christ-church in *Canterbury*, should be restored to its ancient Metropolitan Jurisdiction. Which all the Prelates and Abbots confirmed with their Subscriptions. And this year this King consecrated the Church of *Winchelcumbe*, endowing it with great gifts and possessions, in a kind of Parliamentary Assembly of 13 Bishops, and 10 Dukes, where he manumitted and set free at the high Altar, *Edbert* King of *Kent*, surnamed *Pren*, whom he had taken prisoner in *Battel*. Moreover *Eanbaldus* Archbishop of *York*, this year assembled a Synod at *Finchale*; most likely for the assistance of *Eardulfus* King of *Northumberland* against Duke *Wadus*, and other Conspirators, who rose up against him, whom he vanquished and utterly routed, after a long and bloody battle at *Bilingeho*, where many were slain on both sides; which History *Matthew Westminster* couples with this Synod, An. 798.

An. 799.

(d) Evid. Eccl.
Christi
Cant. col. 2212.

Proposit. 4, 10.

(d) King *Kenulph* in the year 799. By the consent of his Bishops and Princes, at the request of *Athelardus* Archbishop of *Canterbury*, restored to Christ-Church in *Canterbury*, four parcels of Land which king *Offa* had formerly taken from it, and gave to his Servants, free from all secular service and Regal Tribute: ratifying this restitution by his Charter, signed with the Cross, that it might remain inviolable by their concurrent assent.

There

There was a Provincial Council held at Clovesho (or An. 800. Chyffe) In the year of our Lord 800. by Kennlf king of (e) Spelmanni Mercians, Athelwerdus Archbishop of Canterbury, and all the Bishops, Dukes, Abbots & cujuscunque dignita-
 tis viros, and men of all sorts of aignity; where after some inquiry, how the Catholique Faith was kept, and Christian Religion practiced amongst them? The Lands which king Offa and king Kennulph had forcibly taken away from Christ-Church, with the Nunnery of Cotham, and the Hides of Land called Burnam, were Synodali Judicio, by the Judgement of the Council, restored to Christ-Church. Et omnium voce Decretum est, and, It was decreed by the voice of all the Council, upon sight of the Books and Deeds there produced before them by the Archbishop, that it was just Cotham should be restored to Christ-Church (being given to it by King Ethelbald, by his Charter) of which it had, for a long time unjustly been spoiled, notwithstanding the frequent complaints made by Archbishop Bregwin and Lambert in every of their Synods. In hoc Concilio annuente ipso Rege, Athelardus recuperavit dignitates & possessiones quas Offa Rex Merciorum abstulerat Iamberto: writes Gervasius. After which the Archbishop in this Council made this Exchange with Cynedrytha, then Abbess of Cotham; that she and her successors should enjoy all the Lands, and Nunnery of Cotham, in lieu whereof she should give to him one hundred and ten Hydes of Land in Kent, lying in Fleot, Tenaham, and Creges, together with all the writings thereto belonging, which exchange was made before, confirmed and attested by this Noble Synod; that so no Controversie might arise between them, their Heirs and Successors, or King Offa's, in future times concerning the same, but that they might peaceably enjoy them without interruption, for ever. And moreover the Archbishop gave unto Cynedrytha the Monastery called Pretanegge, which king Egfrid gave to him & his heirs. Which proves the Great Councils and Synods in that age to be

thy expressions, fit now to be revived in these times of Heresie and Blasphemy.

(c) *Evidentiæ*
Eccl. Christi
Cantuar. col.
 2211, 2212.
Spelm. Concil.
 p. 317. *Mat.*
West. Anno
 793.

Propos. 5, 8, 9.
 10.

The (c) same year, there was another *Great Council* held at *Racanceld*, wherein *Kenulph* King of *Mercians* sat President, *Athelardus* Archbishop of *Canterbury*, 17 other *Bishops*, sundry *Abbots*, *Arch-deacons*, and other fit persons being there likewise present; Wherein, by the command of *Pope Leo*, it was decreed; That from thenceforth no *Laymen* should exercise *Dominion* over the *Lords Inheritance* and *Churches*; but that they should be governed by *Holy Canons*, and the *Rules* of their first founders and possessors, under pain of *Excommunication*: and that *Christ-church* in *Canterbury*, should be restored to its ancient *Metropolitan Jurisdiction*. Which all the *Prelates* and *Abbots* confirmed with their *Subscriptions*. And this year this King consecrated the *Church of Winchelcumbe*, endowing it with great gifts and possessions, in a kind of *Parliamentary Assembly* of 13 *Bishops*, and 10 *Dukes*, where he manumitted and set free at the high *Altar*, *Edbert* King of *Kent*, surnamed *Pren*, whom he had taken prisoner in *Battel*. Moreover *Eanbaldus* Archbishop of *Tork*, this year assembled a *Synod* at *Finchale*; most likely for the assistance of *Eardulfus* King of *Northumberland* against *Duke Wadus*, and other *Conspirators*, who rose up against him, whom he vanquished and utterly routed, after a long and bloody battle at *Bilingeho*, where many were slain on both sides; which *History* *Matthew Westminster* couples with this *Synod*, *An. 798*.

An. 799.

(d) *Evid. Eccl.*
cles. Christi
Cant. col. 2212.

Proposit. 4, 10.

(d) King *Kenulph* in the year 799. By the consent of his *Bishops* and *Princes*, at the request of *Athelardus* Archbishop of *Canterbury*, restored to *Christ-church* in *Canterbury*, four parcels of Land which king *Offa* had formerly taken from it, and gave to his *Servants*, free from all *secular service* and *Regal Tribute*: ratifying this restitution by his *Charter*, signed with the *Cross*, that it might remain inviolable by their concurrent assent.

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There was a Provincial Council held at Clovesko (or An. 800. Cliffe) In the year of our Lord 800. by Kennulf king of Mercians, Athelwerdus Archbishop of Canterbury, and all the Bishops, Dukes, Abbots & cujusunque dignitatis viros, and men of all sorts of aignity; where after some inquiry, how the Catholique Faith was kept, and Christian Religion practiced amongst them? The Lands which king Offa and king Kenulph had forcibly taken away from Christ-Church, with the Nunnery of Cotham, and the Hides of Land called Burnam, were Synodali Judicio, by the Judgement of the Council, restored to Christ-Church. **Et omnium voce Decretum est,** and, It was decreed by the voice of all the Council, upon sight of the Books and Deeds there produced before them by the Archbishop, that it was just Cotham should be restored to Christ-Church (being given to it by King Athelbald, by his Charter) of which it had, for a long time unjustly been spoiled, notwithstanding the frequent complaints made by Archbishop Bregwin and Lambert in every of their Synods. In hoc Concilio annuente ipso Rege, Athelardus recuperavit dignitates & possessiones quas Offa Rex Merciorum abstulerat Iamberto: writes Gervasius. After which the Archbishop in this Council made this Exchange with Cynedrytha, then Abbess of Cotham; that she and her successors should enjoy all the Lands, and Nunnery of Cotham, in lieu whereof she should give to him one hundred and ten Hydes of Land in Kent, lying in Fleot, Tenaham, and Creges, together with all the writings thereto belonging, which exchange was made before, confirmed and attested by this Noble Synod; that so no Controversie might arise between them, their Heirs and Successors, or King Offa's, in future times concerning the same, but that they might peaceably enjoy them without interruption, for ever. And moreover the Archbishop gave unto Cynedrytha the Monastery called Pretanegge, which king Egfrid gave to him & his heirs. Which proves the Great Councils and Synods in that age to be

F

Parliaments;

(e) Spelmanni
Concil. p. 318,
319, 320. E-
vident. Eccl.
Christi Cant.
col. 2212, 2213
Gervasius Do-
robern. actus
Pontif. Cantu.
col. 1642. and
Godwin in the
life of Athelardus.

Propos. 4, 5, 6;

Parliaments; and that they judicially restored Lands unjustly taken away by Kings, upon complaint, examination and due proof made thereof, as well as inquired of errors and abuses in Religion,

(f) Will.
Malmshury
de gest. Reg.
l. 1. c. 4.

Sp. l. Conc. p.
320. to 324.
Antiq. Eccles.
Brit. p. 27, 28,
29, 30. Mat.
West. An. 797.

In this Council I conceive it was, that (f) Kenulph, with his Bishops, Dukes, et omni sub nostra Ditione Dignatis gradu, compiled and sent a Letter to Pope Leo the third; promising obedience to his commands; requesting, that the ancient Canons might be observed, and the Jurisdiction and Power of the See of Canterbury (which King Otha and Pope Adrian had diminished and divided into two Provinces or Archbishopricks) might be restored and united again thereto, to avoid Scisms: and craving the Popes answer to these their requests: which he returned in a special Letter to the King, restoring to Athelardus and his successors the Bishopricks substracted from his Province, with the Metropolitan Jurisdiction over them, as amply as before.

An. 802.

(g) Spelman.
Concil. p. 324,
325, 326. See
Mat. westm.
An. 797, to
805.

Proposit. 3. 6.

(g) Hereupon, in the year 802. or thereabouts, there was another Parliamentary Council assembled at Clovesho; wherein the Archbishoprick of Lichfield was dissolved, the See of Canterbury restored to its former plenary Metropolitick Jurisdiction (according to Pope Leo his Decree) By the advice and Decree of the whole Council: which commanded in the name of God; That no Kings, nor Bishops, nor Princes, neque ullius Tyrannicæ potestatis Homines, should diminish the honour of the Metropolitick See, or presume to divide it in any partle whatsoever, under pain of an Anathema Maranatha; which Decree the Archbishop, with 12 other Bishops, subscribed and ratified with the sign of the Cross (as they formerly did in the Council of Bechancel, An. 798.) And in this Council divers controversies concerning the Lands, Limits and Jurisdictions of other Bishops & Bishopricks were likewise decided and settled; as you may therein read at large.

(b) Eadburga Daughter to King Offa married Brich- Anno 802.
ric King of the West-Saxons: proud of her parentage (b) Matthew
and match, she grew so ambitious, insolent, and Tyrannical West. An. 802,
that she became odious, not only to all the Prelates, No- 854. Asserius
bles, and Courtiers, but to the people likewise. For be- Mene. de gest.
ing incited with malice and tyranny, she usually accused Wil. Alfredi Regis,
and execrated to the King all the Nobles of the Realm, Or- de Gestis Reg.
dinaries, Bishops, and Religious persons, and so overcame 1.2. c.2. p. 46.
him by her flatteries, that those whom she began to accuse, Florentius wi-
aut vitâ aut Regno privaret, (she would either deprive gorn. An. 855.
of Life, or banish them the Realm; and if she could not ob- Polychron. l. 5.
tain this from the King against them, she accustomed to c. 27. Speeds
destroy them privily with poison. At last, An. 802. She Hist. p. 230.
preparing poison, to destroy a rich and noble Favourite Mr. Seldens
of the Kings, whom he extraordinarily lov'd; so as she Titles of Ho-
could not banish or destroy him by her false accusati- nony, part 1. c.
ons; the King casually drinking of the Poison (contra 6. p. 166. Simm
ry to her intention) as well as his Favourite, they were Dunelm. Hist.
both therewith suddenly poisoned and destroyed. Where- de Gest. Reg.
with this wicked woman being terrified, fled with all Angl. col. 118.
her invaluable Treasures beyond the Seas to Charles the Fox Abbs and
Great: who for her Lasciviousness, in making choice of Monuments,
his Son for her Husband before himself, (though much vol. 1. p. 170,
inamoured with her transcendent beauty) thrust her 171.
into a Monastery, where soon after, she abusing her bo- Proposit. 2, 4.
dy by uncleanness, in lying with a lewd man, was expelled
thence, forced to beg her bread, and ended her days in ex-
treme misery. A just judgement of God, both upon a
Tyrannical Queen, and unrighteous King, seduced to
banish and condemn his Nobles and Subjects unjustly
by her solicitations. For this her most hainous crime
the West-Saxons ordained a Law, to the Grand preju-
dice of all their succeeding Queens: That none of them
should have either Title, Majesty, or place of Royalty or
Queen: 'Non enim West-Saxones Reginam, vel juxta
'Regem sedere, vel Regina appellatione insigniri pati-
'untur, propter malitiam Eadburge, quæ virum

‘ suum *Brithicum* veneno perdidit, & juxta Regem se-
 ‘ dens, omnes Regni Nobiles accusare solebat, & quos
 ‘ accusare non potuit, potu eos venenifero necare consu-
 ‘ evit. Itaque pro Regina maleficio omnes conjurave-
 ‘ runt, quod nunquam se regnare permetterent, qui
in prædictis culpabilis inveniretur: as *William of Mul-*
msbury, Asserius Menevensis, Muthew Westminster,
Florentius Wigorniensis, and others out of them re-
 late,

Anno 816

(*) Spelman.
 Concil. p. 327,
 328, 329.

Proposit. 4. 5.
 6.

(i) There was a *Parliamentary Synod*, or *Council*,
 held at *Celichub*, in the year 816. at which, not only
Wulfred Archbishop of *Canterbury*, with all his *Suffra-*
gan Bishops, but likewise *Kenulf* king of *Mercians*, with
 his *Princes, Dukes, and Nobles*, and *sundry Abbots*,
Priests, Deacons, and other sacred Orders were present,
 wherein they enacted 11 *Constitutions*, the 6th. where-
 of was this in substance. That the *Judgements and De-*
crees of Bishops made in Synods should not be infringed, but
 remain firm and irrefragable, being ratified with the sign
 of the holy Cross (by the *Kings and Nobles Subscriptions*) un-
 less perchance the *King or Princes* deemed the *subscriptions*
 of their *Antecessors* of no force, and feared not to reform, or
 cease from this error, which shall rest and bring a *Curse*
 on them and their heirs. The 7th. That no *Bishops, Ab-*
bots or Abbesses shall alienate or part with the *Lands, wri-*
tings and evidences of their Churches and Monasteries,
 which they are intrusted to keep, nisi rationabilis cau-
 sa poposcit adjuvari, contra invasionem famis, & De-
 prædationem Exercitus, & ad Libertatem obtinendam
 which causes they reputed reasonable.

Anno 822.

(k) Evident.

Eccl. Christi
Cant. col. 2213,
 2214. *Spelm.*
Concil. p. 332,
 333, 334. *Flo-*

rentius Wigorn. Anno 822. p. 287, *Ethelwerdi Hist. l. 9. c. 2;*

sent

sent, debating things both concerning the benefit and regulation of the Church, and defence and safety of the Realm (the proper subjects of our present English Parliaments) as these words import, 'Utilitatem & necessitatem Ecclesiarum, Monasterialisque vitæ Regulam et observantiam, stabilitatem quoque Regni pertractante'. In this Parliamentary Council, the Proceedings in 3 precedent Councils, touching the Complaints of the Archbishops of Canterbury, of the Injuries done unto them, in taking away the Lands of the Church by their Kings and Officers, with the proceedings thereupon are at large recited, which I shall here transcribe, because generally unknown to most, and best discovering the proceedings of our antient Parliamentary Councils in Cases of this nature; of any Council I have met with in that Age, and those which next proceeded, or succeeded it.

Proposit. 5, 6;

'All the said persons in the said Council sitting down quietly together, it was inquired by them; *quomodo quis cum Justitia sit tractatus, seu quis injuste sit spoliatus?* In what manner any one had been handled with justice? or if any one had been unjustly spoiled? Whereupon, amidst other things there acted and spoken, it was shewed, That Archbishop Wulfred by the mis-information, and enmity, and violence and avarice of king Kennulph, had suffered many injuries, and was most unjustly deprived of his just dominations, as well by those things which were done unto him amongst us here in England, as by those things which were brought against him to the See Apostolick, by the procurement of the foresaid King Kennulph: by which accusations and discords, not only the fore-named Archbishop, but also the whole English Nation, for almost six years space, was deprived of its primordial authority, and of the Ministry of sacred Baptism. Above all these things, the said king Kennulph at a certain time with his Council, coming to the City of London, appointed a day (with great in-

Proposit. 2.4.

dignation) wherein the Archbishop should come unto him: whither when he came, the King commanded, that relinquishing all his goods, he should speedily depart out of England, without hopes of returning any more, neither by the command of our Lord the Pope, neither by the intreaties of the Emperour, nor of any other person, unless he would consent to his will, in demising to him a farm of 300 Hides of Land, called Leogenetham, and moreover would give to the said King one hundred and twenty pounds in money; This reconciliation the said Wulfred refusing, long contradicted; and when the friends of the man of God, and Nobles of the King, who loved him very much, perceived the rapacity and violence of the King, they importuned the Archbishop, that he would consent to the Kings will, upon this condition; that the King should relinquish the difference which he had raised between the Pope and Archbishop, by his Messengers, and should restore to the said Father all the power and dignity which belonged to the said Primates See, according to the authority which his Predecessors most amply enjoyed in former time. But if the King could not do this, that he should then restore the money and Land, which he exacted of the Archbishop to him again. Upon this condition therefore, the said reverend Father gave his assent: But nothing of the foresaid condition was performed: For three whole years after the said agreement, he remained deprived of the power which his predecessors and himself had before that difference over Suthmenstre, as well in pasture, money, vestments, as obedience, which belonged to the Metropolitcal See.

But after the death of King Kennulf, when Beornulf reigned; the said Archbishop Wulfred invited Abbes Kenedrytha, Heir and Daughter of King Kennulf, to the foresaid Council; whither when she came, the Archbishop complained in the audience of all the Council, of the injuries and troubles offered and done to him, and

to Christs Church, by her Father; and required reparation from her, if it were Just: Then all the Council found it to be Justice, et hoc unanimi consensu Decrevit, and Decreed it by a unanimous consent, That all those things which her Father had taken away from the Archbishop, she ought justly to restore unto him, and to give him so much again for reparation. And moreover should restore all the use (or profit) the foresaid Father had lost in so long a space: which she humbly promised to do.

Nota.

It seemed good therefore to king Beornulf, with his Wisemen, for friendship sake, most diligently to make a reconciliation and amends for the said Lands, between the heirs of King Kenulf and the Archbishop; and because this pleased the king, and he humbly intreated it; out of Love and Friendship to the King the Archbishop consented thereto; for the heirs of the said king Kenulf often desired to have the said Father to be their Patron and intercessor; And they intreated him with humble devotion, that for a full reconciliation, he would receive in four places one hundred Hides of Land; to wit Herges, and Herfording Land, Wambeloa, and Gedding. Then the Archbishop for the love of God, and the amiable friendship of Beornulf, consented to this accord, upon this condition; that the foresaid Abbe should deliver to the said Archbishop, the foresaid Lands of one hundred Hides, with the Books which the English call Landbor, and with the same liberty which he had before, for a perpetual inheritance: Whereupon king Beornulf, with the testimony of the whole Council, proclaimed it to be altogether free.

But this Agreement was not all this time ratified, because after these things, the promise remained unfulfilled for 12 Moneths: for three Hides (or tenements) of the foresaid Lands, were detained; and the Books of 47 tenements; to wit, the Book of Bockland, the Book of Wambeloa, and also the Book of

of *Herfocdingland*, But in the year following she the
 said *Abbes* desired a Conference with the foresaid
 Archbishop, who at that time was in the Country of
 the *Wicii*, at a place called *Ostaveshlen*, where he held a
 Council: where, when she had found the man of God,
 she confessed her folly in delaying her former agreement:
 upon which the Archbishop with great sweetness
 shewed; that he was altogether free from the foresaid a-
 greement, and that of her part there were many things
 wanting which she ought to have restored; but she being
 brought before the Council, greatly blushing, hum-
 bly promised, that she would restore all those things that
 were wanting, and with a willing mind restored to the
 Archbishop the Books of certain Lands, which before
 she had not promised, with the Lands (adjudged to him,
 as Sir Henry Spelmans *Margent* supplies the defect)
 in the same Council. She likewise added thereto
 a farm of 4 tenements in *Hevgam* for his favour;
 likewise She gave to the Archbishop 30 Hide land
 (or tenements) in *Cumbe*, with a Book of the said
 Lands, that a firm and stable friendship and accord
 might remain between all the heirs of King *Kenulf*
 and the Archbishop. To all which things the Arch-
 bishop gave his consent, upon this Condition, that the names
 of the afore said Lands should be rased quite out of the An-
 cient Privileges which belong to *Winceleumbe*. lest in after
 times some controversie should be raised, **De hoc quod Syn-**
nodali auctoritate decretum est, et signo crucis firma-
tum: concerning this which was ended by authority
 of the Council, and confirmed with the sign of the
 Cross. By this, and the precedent Councils of *Clove-*
sho, it is apparent; first, That the Injustice, Rapine,
 and oppression of our Saxon Kings themselves, was
 then examined and redressed in and by our Parliamen-
 tary Councils: 2ly. That Tittles to Lands, Jurisdic-
 tions, Privileges unjustly taken from the Church and o-
 ther men, by our kings, or other great persons and
 com-

complaints touching the same, were usually heard, determined and redressed in the great Parliamentary Councils of that Age, upon complaints made thereof, and that to and before the whole Council, not to any private Committees, not then in use. 3ly. That restitution, reparations and damages in such Cases, were usually awarded in such Parliamentary Councils, not only against the Kings & Parties that did the wrong, but likewise against their heirs; as here against *Abbes Cenedritha*, Daughter and heir to king *Kenulph*, After the decease of her father the *Tort Feasor*. 4ly. That the same cause and complaint was revived, continued, ended in succeeding, that rested undecided, and unrecompensed in former Councils. 5ly. That Agreements, Exchanges, and Judgements given upon Complaints in Parliamentary Councils, were conclusive and final to the Parties and their Heirs. 6ly. That Injuries done by the power of our Kings or great Men in one Parliamentary Council (as in dividing the Archbishoprick of *Canterbury*, &c.) were examined & redressed by another subsequent Council. 7ly. That Parliamentary Councils in that Age, were very frequently held, at least once or twice a year (if not interrupted by wars) and that usually at *Clovesho*, according to the (1) Decree of the Council of *Heartford* under Archbishop *Theodor*, That the Bishops once a year should assemble together in a Council at *Clovesho*; as *Gervasius Doroberniensis* records; there being 4 Councils there, and elsewhere, held in King *Beornulfs* 4 years reign.

I find (m) another Council held at *Clovesho*, in the year 824 the 3. of the Calends of November, under *Beornulf* King of *Mercians* and *Wulfred* Archbishop of *Canterbury*, where this King, which all his Bishops and Abbots, and all the Princes, Nobles, and many most wise men were assembled together. Amongst other businesses debated therein, there was a sute between *Heabere* Bishop of *Worcester*, and the Nuns of *Berlea* concerning the inheritance of *Eshelfrick* Son of *Ethelmund*,

Nota.

(1) *Actus Pontif. Cantu. col. 1639. Spelm. Concil. p. 334.*

Anno. 824. Spelm. Concil. p. 334, 335.

Proposit. 5, 6.

to wit the Monasterie called *West-Burgh*, the Lands whereof, with the Books, the Bishop then had, as *Aethelfrick* had before commanded, that they should be reitired to the Church of *Worcester*. This Bishop, with 50 Mass Priests, and 160 other Priests, Deacons, Monks and Abbots (whose names are recorded in the Manuscript) swore, that this Land and Monastery were impropriated to his possession and Church; which Oath with all these fellow swearers, he was ordered to take at *Westminster*, and did it accordingly, after 30 nights repose. Whereupon. **It was ordained and decreed by the Archbishop, & all the Council consenting with him; that the Bishop should enjoy the Monastery, Lands, and Books to him, and his Church; and so that sute was ended, and this Decree pronounced thereupon.**

‘ Quapropter, si quis hunc agrum ab illâ Ecclesiâ in
 ‘ Ceatre nititur eveilere, contra Decreta sanctorum
 ‘ Canonum sciat se facere; quia sancti Canones decer-
 ‘ nunt, **Quicquid Sancta Synodus universalis cum**
 ‘ **Catholico Archiepiscopo suo adjudicaverit, nullo mo-**
 ‘ **do fractum, vel scriptum esse faciendum.** Hæc autem
 ‘ getta sunt. Hi sunt Tetes & Confirmatores, hujus rei,
 ‘ quorum nomina hic infra notantur, à die tertio Ca-
 ‘ lend. Novembrium.

‘ Ego *Beornulf* Rex *Merciorum* hanc chartulam
 ‘ Synodalis decreti signo sanctæ Christi Crucis con-
 ‘ firmavi.

Then follows the Archbishops Subscription and confirmation in like words; with the subscriptions of sundry Bishops, Abbots, Dukes and Nobles, being 32 in number, all ratifying this Decree.

An. Dom. 833. *An. 833.* (n) *Egbert*, King of *West-Saxons*, *Arhel-*
 (n) *Ingulph* *wulfe* his Son, *Wiclafus* king of *Mercians*, both the
Hist. p. 855. **Archbishops, Abbots, cum Proceribus majoribus totius**
 857. See *Mat.* **us Angliæ, with the greatest Nobles of all England,**
westm. Anno were all assembled together at *London*. (in a *National*
 833, 834, 835. *Spelm. Concil. p. 337, 338, 339.*

Parliamentary Council) *pro consilio capiendo contra* ^{Proposit. 5, 9,}
Danicos Piratas Littoꝝ Angliæ assidue infestantes; ^{10.}

to take Counsel what to do against the Danish Pirates, daily infesting the Sea-Coasts of England.

In this Council the Charter of *Wlilafius* king of *Mercians*, to the *Abbey of Croyland* (where he was hid and secured from his enemies) was made and ratified; where- in he granted them many rich gifts of Plate, Gold, Silver, Land, and the Privilege of a Sanctuary, for all offenders flying to it for shelter; which grant could not be valid without a Parliamentary confirmation; for he being elected King, **omnium consensu**, after the slaughters of *Bernulf* and *Ludican* (two invading Tyrants cut off in a short time; qui contra fas purpuram induerent, & regno vehementer oppresso, totam miliciam ejus, quæ quondam plurima extiterat, & victoriosissima, sua imprudentia perdiderant, as *Ingulphus* writes) was enforced to hold his kingdom from *Egbert* king of *West-Saxons* under a Tribute. And there- upon conferring divers Lands by his Charter to this *Ab- bey* for ever, to be held of him, his heirs and Successors, *Kings of Mercia*, in perpetual and pure Frankalmoigne, quietæ & solutæ **ab omnibus oneribus secularibus, ex- actionibus, & vectigalibus universis quocunque nomi- ne censeantur.** That his grant might be sound and valid, he was necessitated to have it confirmed in this Parla- mentary Council, by the consent of King *Egbert* and his Son, and of all the Bishops, *Abbots et Proceribus Spa- sioribus Angliæ*, and the greater Nobles of England there present; most of them subscribing and ratifying this Char- ter with the sign of the Cross, and their names.

About the year of Grace 838. there was a Parliamen- Anno. 838.
 tary Council held at (o) *Kingston*, in which *Egbert* king (o) Evident.
 of the *West-Saxons*, and his Son *Ethelwulfe*, *Ceolnoth* ^{Eccl. Christi}
Archbishop of Canterbury, with the rest of the Bishops ^{Cantuar. col.}
 and Nobles of England were present. Amongst many things ^{2217, 2218.}
 there acted and spoken, *Archbishop Ceolnoth* shewed be- ^{Spelm. Concil.}
 fore. ^{P. 340.}

Proposit. 3, 6,
10.

fore the whole Council, That the foresaid Kings Egbert and Ethelwulf had given to Christchurch the Mannor called Malinges in Sudex, free from all secular service and Regal Tributes, excepting only these three, Expedition, building of Bridge and Castle: which foresaid Mannor and Lands King Baldred gave to Christchurch; Sed quia ille Rex cunctis Principibus non placuit, noluerunt donum ejus permanere ratum; But because this King pleased not all his Nobles, they would not that this his gift should continue firm: (To which Sir Henry Spelman adds this Marginal Note, Rex non potuit distrabere patrimonium Regni, sine assensu Procerum) Wherefore the foresaid Kings (in this Parliamentary Council, with their Nobles assent) at the request of the said Archbishop, regranted and confirmed it to Christchurch; with this Anathema annexed against the infringers of this grant, If any shall presume to violate it, on the behalf of God, and of us Kings, Bishops, Abbots, and all Christians, let him be separated from God, and let his portion be with the Devil and his Angels.

Anno 847.
(o) Hist. Angl.
l. 5. Spelman.
Concil. p. 343.

Proposit. 1.

(o) Polydar Virgil, records, that King Athelwulf, in the year 847. going in pilgrimage to Rome, repaired the English School (there lately burned down) and in imitation of King Ina, made that part of his Kingdom which Egbert his Father had added, Tributary towards it; **Legeque sancivit**, and enacted by a Law (made in a Parliamentary Council) that those who received 30 pence rent every year out of their possessions, or had more houses, should pay for those houses they inhabited, every of them a penny a peece to the Pope (for the maintenance of this School) at the Feast of Peter and Paul, or at least of St. Peters bonds; which Law some (writes he) though falsely, ascribe to his Son Alfred; which act others refer to the years 855, or 857, and that more truly.

Anno 850.
(p) Ingulf.
Hist. p. 858,
359. Spelm. Concil. p. 344. Mat. westm. An. 849, 851.

(p) Abbot Ingulphus in his Hist. of the Abby of Croyland, records; that Bertulf usurping the Crown, by the trea-

cherous

cherous murder of his Colen St. *Westan* (*cantâ ferebatur ad regnandum ambitione*) passing by the Abbey of *Croyland* ~~with wickedly and violently took away all the Jewels, Plate and ornaments of the Church; which his Brother~~ *Prop. 2, 4, 5, 9, 10.* *Withlafius* and other Kings had given to it; together with all the money he could find in the Monastery; and hiring Souldiers therewith against the Danes, then wasting the Country about London, he was vanquished and put to flight by the Pagans; Whereupon this King soon after, holding a great Council at Benningdon, An. 850. with the Prelates and Nobles of his whole Realm of Mercia there assembled (about the Danes invasions, how to raise forces and monies to resist them, as is most probable by our Historians.) Abbot *Siward*, and the Monks of *Croyland* therein complained before them all, by *Askillus* their fellow Monk, of certain injuries maliciously done unto them by their Adversaries, who lying in wait in the uttermost banks of their Rivers, did seize upon their servants (being such as fled thither for Sanctuary) in case at any time they went out of their precincts never so little way (either to fish, or bring back their stragling Sheep, Oxen, or other Cattle) as infringers of their Sanctuary, and subjected them to the publick Laws, to their condemnation and destruction; to the great damage of the Abbey, by the loss of their service; Of which complaint, the King and all the Council being very sensible, and desirous to provide for the peace and quiet of the Abbey, and to declare and enlarge their Privileges; The King thereupon commanded *Radbott* Sheriff of Lincoln, and the rest of his Officers in those parts, to go round about, describe and set forth the bounds of their Isle of *Croyland*, and of the *Marishes* thereunto belonging, and faithfully and clearly to demonstrate them to him and his Council, wherever they should be, the last day of Easter next ensuing; Who fulfilling his command, openly presented an exact description of their Boundaries to the King and his Council, (which bounds are recited at large in *Ingulphus*,) keeping their Easter at Kingsbury.

Anno 851.

[q] Ingulphi
 Histor. p. 858.
 20 863. Spelm.
 Concil. p. 344,
 &c.

Anno 851. Whereupon the king in this Parliamen-
 tary Council at Kingsbury, in Hebdomada Pasche. pro

Regni negotiis congregati; In Recompensationem
 tamen aliquam pecunie disceptæ; to make some kind of

Recompence of the Money he had formerly taken from the
 Abbey, by the Common Council of his whole Realm, by his

Charter made and ratified in this Council (wherein he
 makes this recital touching this money, as if they had

freely lent it to him in his necessities; though the Hi-
 storian relates, he took it away by force: Gratias Debitas

vobis omnibus dignissime red. o pro pecuniâ quâ re-
 per vos dudum prætereuntem, in meâ maximâ indigen-
 tia contra Paganorum violentiam gratissimo & libe-

ralissimo animo deservitis) granted unto them, That
 the bounds of their Sanctuary and liberties should extend 20

foot in breadth beyond the farthest banks of their grounds
 compassing their Iland; And 20 foot from the water it self;

where ever their fugitive servants should ascend, to draw
 their nets, or do their other necessary businesses; and that this

Sanctuary for fugitives should extend to all the Marishes
 where they had Common for their Cattle; and that if their

Cattel through tempest, theft, or other misfortune, stray-
 ed beyond these limits into the fields adjoyning, their fugi-

tive servants might pursue and fetch them back thence,
 without any seizure or danger; sub mutilatione membri

magis dilecti, si quis istud privilegium meum in ali-
 quo temerè violaret. After which, he confirmed all
 the Lands and privileges formerly granted to this Abbey, by

Kings, Earls, or other persons, particularly recited in this
 Charter; which was made & granted by the common consent,
 sent and advice of this whole Parl. Council, & of the Bishops
 and Nobles of the Realm, as these Clauses in the Char-
 ter abundantly attest. Cum communis concilio toti-
 us Regni mei concedo. Consentientibus omnibus
 Prælati & Proceribus meis concedo; cum communi
 Concilio, gratuitoque consensu omnium Magnatum
 Regni mei concedo; complacuit unanimiter mihi, ac uni-

Nota.

Prop. 5, 6, 10.

‘univerſo Concilio veſtra omnia loca mei authoritate
 ‘Regii Chirographi confirmare. Unanimo conſenſu lo-
 ‘cuius preſentis Concilii, hic apud *Kingsbury*, Anno in-
 ‘carnationis Chriſti Dom. 855. feria ſexta in hebdo-
 ‘mada Paſchæ, pro Regni negotiis congregati, illud
 ‘meum Regium Chirographum ſanctæ crucis ſigno ſta-
 ‘biliter & immutabiliter confirmavi. After which the
 Archbiſhop of *Canterbury*, with other *Biſhops*, 3 *Abbots*,
 2 *Dukes*, 3 *Earls*, with Oſcar Ambaſſadour of King *E-*
thelwulf and his Sons, in their Names, and the Name
 of the *West-Saxons*, ſubſcribed and ratified this Charter,
 affixing the ſign of the Croſs, and their names thereto, as
 you may read at large in *Ingulphus*.

That this *Parliamentary Council*, and the former at
Beningdon were principally ſummoned for the defence
 of the Realm againſt the invading *Danes*, who [r] then [v] See *Ingulf*,
 inceſſantly moleſted it; and that this was the chief of P. 858, 862,
 thoſe *Regni negotiis* for which they were aſſembled, is 863, 864, 865.
 evident by this publick prayer of the Kings, then ſub- Mat. weſtm.
 ſcribed under this Charter. Florent. Wi-
 gorn. *Ethel-*

‘Ego *Bertulphus Rex Merciorum* palam omnibus we’*dus*, Ra-
 ‘Prælatiſ & Proceribus Regni mei, divinam deprecor dulf. de Dicet’
 ‘Majeſtatem, quatenus per interceſſionem ſanctiſſimi Huntingdon,
 ‘Confeſſoris ſui ſancti *Guthlaci*, omniumque ſancto- Hoveden.
 ‘rum ſuorum, dimittat mihi, & omni populo meo, Brom. An. 851.
 ‘peccata noſtra, & ſicut per aperta miracula ſua ſigna. Propeſt. 9.
 ‘tus eſt miſericordiam ſuam; ſic ſuper *Paganos* hoſtes
 ‘ſuos dare nobis dignetur omni certamine victoriam &
 ‘poſt præſentis vitæ fragilem curſum in conſortio ſan-
 ‘ctorum ſuorum gloriam ſempiternam, Amen.

After which [s] *Ingulphus* ſubjoyns this *Monkiſh* [s] Hiſt. p.
 miracle, relating the order of the proceedings in this 861, 862.
Council, the ſole end for which I cite it.

‘God wrought in this *Council* to the honour of his
 ‘moſt holy Confeſſor *Guthlac*, a moſt famous miracle,
 ‘whereby the devotion of the whole Land, now more
 ‘lukewarm than ordinary, to goe in pilgrimage to
 Croy-

'Croyland, might thenceforth become more frequent;
 'and by all ways, through all Countys might day-
 'ly be revived; for whereas a certain disease like to
 'a Palsie, this year afflicted all England; the Nerves
 'of Men, Women, and Children, being smitten with
 'a sudden and excessive cold (their veins swelling and
 'growing harder, the which no remedy of cloathes
 'could prevent) and especially the Arms and hands
 'of men being made useles, and altogether withred;
 'in which disease, like a fore-running molt certain
 'Messenger thereof, an intollerable pain pre-occup-
 'ted the Member so growing ill. It hapned in this
 'Council, that many, as well of the greater as lesser
 'rank, were sick of this Malady, & cum regni nego-
 'tia proponerentur, and when as the businnes of the
 Realm were to be proposed, Lord Celnoth Archbishop
 of Cant'rbury, who was vexed with this disease, openly
 countelled; Divina negotia deberi primitus proponi,
 & sic humana negotia Christi suffragante gratia, finem
 prosperum posse sortiri; Assentientibus universis, &c.
*That Divine businesses ought first of all to be proposed, and
 so humane business, through the suffrage of Christs grace,
 might obtain a prosperous end. All assenting therunto,
 when Lord Siward, then Abbot of Croyland was inquired
 for; because in Councils and Synods for his great eloquence
 and holy Religion, he had been, as it were, a divine inter-
 preter for many years, and the most gracious Expositor and
 Promotor of innumerable businesses of the whole Clergy;
 who by reason of his great old age, was not present; but by
 Frier Askillus, his fellow Monk, he excused his absence
 with a most humble Letter, by the burden of his long old
 age; King Bertulph himself remembring the former com-
 plaint of the Church of Croyland, openly related before
 the Council, the Injuries frequently done to the Lord
 Abbot Siward, and to his Monastery of Croyland, by
 the foolish fury of their Adversaries; and commanded,
 that Remedy should be provided and Decreed by com-*

mon

Nota.

Prop. 5, 6.

mon advice. *When as therefore this business was in agitation amongst them, & Petitiō Domini Siwardi, (the first Petition I meet with of this Nature to and in our Parliamentary Councils) and the Petition of the Lord Abbot Siward concerning the same, delivered by the foresaid Frier Askillus, had run from hand to hand of the Prelates and Nobles of the whole Council, and one advised one thing, another another: Lord Ceolnoth Archbishop of Canterbury cried out with a loud voice, that he was healed of his disease, and perfectly recovered by the merits of the most holy Confessor of Christ, most blessed Guthlac, whose businesses were then handling in their hands: likewise many other most potent men in the said Council cryed out, as well Prelates as Nobles, that they had been sick of that disease, but now by Gods Grace, and the merits of most holy Guthlac, they felt no pain in any of their Members, through the said malady: And all of them presently bound their Consciencs with a most strict vow, to visit the most sacred Tomb of most holy Guthlac at Croyland with devout pilgrimage, so soon as they could. Wherefore our Lord King Bertulf, commanded the Bishop of London (who was then accounted the best Notary, and most eloquent speaker, who being moreover touched with the same disease, now predicated, with greatest joy, that he was healed) to take the Privileges of Croyland into his hands, and that he should insist to honour his Physcitian S. Guthlac with his hand writing, prout consilium statueret, as the Council should ordain; which also was done; Therefore in the Subscriptions of the Kings Charter (afore-mentioned) the Archbishop of Canterbury, Ceolnoth, confelleth himself whole and sound: St. Swithin Bishop of Winchester, rejoyceth concerning the Lords Miracles. Alstan Bishop of Sherburn, and Orkenwald of Lichenfeld, give thanks for the successes of the Church; and Rethunus Bishop of Leicester, professeth himself a Servant to St. Guthlac so long as he lived: Univerſique Concilii Optimates; And*

Propos. 6.

all the Nobles of the Council, with a most ardent affection, yeelded obedience to the Kings benevolent affection towards St. Guthlac In all things.

From all which precedent passages in these two Councils, it is apparent.

First, That the Parliamentary Councils of that Age, consisted only of the King, spiritual and temporal Lords and Peers, without any Knights of Shires, or Burgesses, of which we find no mention in this, or any other former or succeeding Councils, in the *Saxons* times; though sometimes Wise-men of inferior quality, both of the Clergie and Laity, were particularly summoned to them, without any popular election, by the Kings special direction, for their advice.

2ly. That all Divine and Ecclesiastical matters, touching God, Religion, and the Church, and all affairs of the Realm of publique concernment, relating to war or peace, were debated, consulted of, & settled in Parliamentary Councils. 3ly. That the businesses of God and the Church, were therein usually first debated and settled, before the affairs of the kingdom, of which they ought to have precedency. 4ly. That all private grievances, injuries and oppressions done by the King, his Officers, or other private persons, to the Church, or other men, were usually complained of, and redressed in Parliamentary Councils, by the advice and judgement of the King and Peers; and that either upon the parties Petition, setting forth his grievances, or a relation made thereof by the King, or some other Prelate or Nobleman, before the whole Council. 5ly. That what could not be redressed in one great Council, was in the next succeeding Council revived and redressed, according to the merits of the cause. 6ly. That no Peer nor Member of the great Council might absent himself in those times, but upon just and lawfull excuse, which he ought humbly to signify to the King and Council by a special Messenger, and

Let-

Letter, as Abbot *Seward* did here. 7ly. That all Members of the Council had free liberty of Debate and Vote, in all businesses complained of, or proposed to them; and a negative, as well as an affirmative voice. 8ly. That all businesses then were propounded and debated before all the Council, and resolved by them all, not in private Committees. 9ly. That our Kings in those days, in Cases of necessity, could not lawfully seise their subjects monies and plate again't their wills, to raise Soldiers to resist invading forein Enemies, but only borrow them by their free consents, and held themselves bound to restore or recompence the monies lent or taken by them in such exigencies, with thankfull acknowledgment. 10. That our Kings in that age, could not grant away their Crown lands, create or enlarge Sanctuaries, or exempt any Abbies from Taxes and publique payments, or impose any publique Taxes on their Subjects, but by Charters, or grants made and ratified in and by their great Councils.

Anno 854. (t) King *Ethelulf* gave the tenth part of *An. 854.*
his Realm to God and his Saints, free from all secular ser- *(t) Mat west.*
vices, exactions and Tributes, by this Charter, made and *An. 854, 878.*
confirmed, by the advice and free assent of all the Bishops *Mr. Seldens*
and Nobles throughout the Realm then assembled in a Great *Hist. of Tiche,*
Council, to oppose the invading plundering Danes. *ch. 8. p. 208 i*
209. Malms-
bury de Gest.
Reg. Angl. l.
2. c. 2. Flo-
rentius wigor-
niensis Anno
855. Ingulph
Hist. p. 862.
Polychronicon,
l. 5. c. 30. Hen.
Huntindon,
Hist. l. 5. p.
348, Ethelwerdi Hist. l. 3. c. 3, p. 841, Roger Hoveden Annal. pars prior, p. 413.
Chronicon Johannis Bromton, col. 802, Ethelredus Abbas, de genealogia Regum
Anglie, col. 352. Simeon Dunelm. de Gest. Reg. Angl. col. 121. Radulfus de Di-
ceto Abbreu. Chron. col. 450. Speeds Hist. p. 377. Spelmani Concil. p. 348. to
353.

Proposit. 1, 5,
6, 9. 10.

* Or interden
as Ingulfus
bath it.

'cipum meorum, Consilium salubre arque uniforme re-
'me i m antinavi, ut aliquam portionem **Terræ meæ**
'Deo & beatæ Mariæ & omnibus sanctis. Jure perpetuo
'possidendam concedam, **Decimam** scilicet partem
'terræ meæ, *ut situta m e ihus*, et libera ab omni-
'bus servitiis secularibus, nec non Regalibus Tributis
'Majoribus et Minoribus, seu Taxationibus, quæ nos
'*Winterdaen* appellamus, dicque omnium rerum libe-
'ra, pro remissione animarum & peccatorum meorum;
'ad serviendum soli Deo, sine **expeditione**, et pontis
'constructione, arcis munitione, ut eo diligentius
'pro nobis preces ad Deum inue cillatione fun-
'dant, quo eorum servitutem in aliquo levigamus.

The Copies in our Historians vary in some expressi-
ons, and in the date of this Charter; some placing it
in *Anno* 855. others *Anno* 865. This Charter as *Ingul-*
phus records, was made at *Winchester*, Novemb. 3.
Anno. 855. *presentibus & subscribentibus Archiepiscopis*
Anglia universis, nec non Burredo, Mercia, & Edmun-
di East-Anglorum rege, Abbatum, & Abbatissarum Duc-
cum, Comitum, Procerumque totius terræ, aliorumq;
fidelium infinita multitudine. Dignitates vero sua nomi-
na subscripserunt. After which, for a greater Confirma-
tion the King offered the Written Charter up to God
upon the Altar of *St. Peter*, where the Bishops recei-
ved it, and after sent it into all their Diocesses to be pub-
lished: and hereupon the Bishops of *Sherburne* and
Winchester, with the *Abbots* and religious persons,
on whom the said benefits were bestowed, decreed,
That on every Wednesday, in every Church, all the Fri-
ers and Nuns should sing 50 Psalms, and every Priest
2 Masses; one for the King, and another for his Captains.
It is observable, first, That the Parliamentary Coun-
cil wherein this Charter was made and ratified by
common consent, and this exemption and tenth gran-
ted, was principally called to resist the invading plunde-
ring Danes. 2ly. That this King and Council, in those
times

times of Invasion and necessity, were so far from taking away the Lands and Tithes of the Church, for defence of the Realm, or from imposing new untual Taxes and Contributions on the Clergy for that end, that they granted them more Lands and Tithes than formerly, and exempted them from all former ordinary Taxes and Contributions, that they might more cheerfully and frequently pour forth prayers to God for them, as the best means of defence and security, against these forein invading enemies.

(u) Mr. Selden recites another Charter of this King of the same year (different from it in month and place) out of the Chartularies of Abbington Abbey, to the same effect, made by Parliamentary consent of that time, & per consilium satubre cum Episcopis, Comitibus, ac cunctis Optimatibus meis, which Charter is subscribed by this King and his two Sons, with some Bishops and Abbots; ratified with their signs of the Cross, and this annexed curse, *Si quis vero minuire vel mutare nostram donationem presumpserit, noscat se ante tribunal Christi redditurum rationem, nisi prius satisfactione emendaverit*, usual in such Charters.

(u) History of Tithes. ch. 8 p. 208, 209.

After (x) which, this King going to Rome, carried Alfred his youngest Son thither with him (whom he most loved) to be educated by Pope Leo; where continuing a year, he caused him to be crowned King by the Pope, and returning into his Country married Judith the King of France his Daughter, bringing Alfred and her with him into England. In the Kings abience in forein parts, Alstan Bishop of Sherburne, Eandulfe Earl of Somerset, and certain other Nobles making a Conspiracie with Ethelbald the Kings eldest Son, concluded, he should never be received into the Kingdom, upon his return from Rome, for two Causes: One, for that he had caused his youngest son Alfred, to be crowned King at Rome, excluding thereby, as it were, his eldest Son, and others from the Right of the Kingdom. Another, for that

(x) See Malmesbury, Huntingdon, Hoveden, Matthew westm. Ethelwerdus, Simon Dunelmensis, Wigorniensis, Speed, Polychron. Fabian, Holinshed, Grafton, and others in his life.

condemning all the women of England, he had married the Daughter of the King of France. an alien et contra morem et Statuta Regum West-Saxonum, and against the use and Statutes of the Kings of the West-Saxons, called Judith, (the King of France his Daughter, whom he lately espoused) Queen, and caused her to sit by his side at the Table, as he used; For the West-Saxons permitted not the Kings Wife to sit by the King at the Table, nor yet to be called Queen, but the Kings Wife: (y) Which Infamy arose from Eadburga, Daughter of King Offa, Queen of the same Nation, who destroyed her Husband King Brithric with poison, and sitting by the King, was wont to accuse all the Nobles of the Realm to him, who thereupon deprived them of life or banished them the Realm, & whom she could not accuse, she used to kill with poison: Therefore, for this mis-doing of the Queen: they all conspired and swore, that they would never permit a King to reign over them who should be guilty in the premises: Whereupon King Athelulf returning peaceably from Rome, his Son Athelbald, with his Complices, attempted to bring their conceived wickedness to effect, in excluding him from his own Realm and Crown. But Almighty God would not permit it; for lest peradventure a more than civil war should arise between the Father and the Son, the Conspiracie of all the Bishops and Nobles ceased, though the King Clemency, who divided the Kingdom of the West-Saxons (formerly undivided) with his Son, so that the East part of the Realm should go to his Son Ethelbald, and the West-part remain to the Father. And when tota Regni Nobilitas, all the Nobility of the Realm, and the whole Nation of the West-Saxons, would have fought for the King, thrust his Son (Ethelbald) from the right of the Kingdom, and banished him and his Complices out of the Realm, qui tantum facinus perpetrare ausi sunt. & Regem à regno propriè repellerent (which Wigornienſis, Anno 855. Oil. Facinus, et inauditum omnibus sæculis ante infortunatum) if the Father would have permitted them to do it

(y) Mat. west.
An. 802, 854.
Huntingdon,
Hoveden,
Bromton,
Speed, Holin.
sh. d. Asser.
Flor. Wigorn.
Radulf. de Dic.
eto. Simon
Dunelm.
Polychronicon,
Fabian, Mr.
Seldens Titles
of Honour,
part. 1. c. 6.
p. 116, 117.
118.
See here p. 35.

Proposit. 2, 4,
7, 8, 10.

it. He out of the nobleness of his mind, satisfied his Sons desire; so that where the Father ought to have reigned by the just judgement of God, there the obstinate and wicked Son reigned. This King (2) *Ethelulfe* before the death of *Egbert* his father, was ordained Bishop of *Winchester*, but his Father dying, he was made King by the Prelates, Nobles, and People, much against his will. *Matthew Westm. An. 857. Speeds Hist p. 376, 377. Chron. Jo. Bromton, col. 810. and the rest forecited.*
cum non esset alius de Regio genere qui regnare debuisset; because there was none other of the Royal Race who ought to reign: *Hæredibus aliis deficientibus, postmodum necessitate compulsus, gubernacula Regni in se suscepit*, as *Bromton* and others expresse it.

At his death (Anno 857.) he did by his will (left his Sons should fall out between themselves after his decease) give the kingdom of *Kent*, with *Sussex* and *Essex*, to *Ethelbert* his second son, and left the kingdom of the *West-Saxons* to his eldest son *Ethelbald*; then he devised certain sums of Money to his Daughter, Kindred, Nobles, and a constant annuity for ever, for meat, drink, and cloths to one poor man or pilgrim out of every 10 Hides of his Land, & 300 marks of money to be sent yearly to *Rome*, to be spent there in Oyl for Lamps, & Almes: which sums I never find paid by his Successors, as he prescribed by his Will and Charter too, because not confirmed by his great Parliamentary Councils, of Prelates and Nobles, as his forcited Charter, and (a) *Peter-pence* (likewise granted by him) were; upon this occasion (as some record) that he being in *Rome*, and seeing there outlawed men doing penance in bonds of Iron, purchased of the Pope, that **Englishmen** after that time should never out of their Country, **do penance in Bonds**.

About the year of our Lord 867. (b) *Osbrith* King of *Northumberland* (as *Bromton* records) residing at *York*, as he returned from hunting, went into the house of one of his Nobles called *Bruern Bocard*; to eat; who was then gone to the Sea-coasts, to defend it & the Ports against *Thieves and Pirates*, as he was accustomed; His Lady be-

(2) *Matthew Westm. An. 857. Speeds Hist p. 376, 377. Chron. Jo. Bromton, col. 810. and the rest forecited.*

(a) *Radulph. de Diceto Ab. breviaciones Chron. col. 450. Chron. Joban. Brom. col. 802, 806. Polychron. l. 5. c. 30.*

Anno 867. (b) *Chron. Jo. Bromton, col. 803. Speeds History.*

being extraordinarily beautifull, entertained him very honorably at dinner; The K. enamored with her beauty, after dinner taking her by the hand, leads her into her Chamber, saying *he would speak with her in private*; and there violently ravished her against her will: which done he presently returned to York, but the Lady abode at her house, weeping and lamenting the deeds of the King; whereby she lost her former colour and beauty. Her Husband returning, and finding her in this sad condition, inquired the cause thereof; wherewith she fully acquainting him; he thereupon cheered her up with comfortable words, saying, *that he would not love her the lesse for it, since her weakness was unable to resist the Kings power*; and vowed by Gods assistance, *speedily to avenge himself & her of the King, for this indignity*. Whereupon, being a Noble and very potent man, of great Parentage, he called all his kinsmen, and the chief Nobles of his Familie to him, with all speed, and acquainted them with this dishonour done to him by the king, saying, *he would by all means be avenged thereof*; and by their Counsel and Consent, they went all together to York, to the king, who when he saw Bruern called him courteously to him; But he, guarded with his kinred and friends, presently defying the King, *resigned up to him his Homage, Fealty, Lands, and what ever he held of him*, saying, *that he would never hold any thing of him hereafter as of his Lord*: And so without more words, or greater stay, instantly departed, and taking leave of his friends, went speedily into Denmark, and complained to Codrinus king thereof, *of the Indignity done by King Osbrith to him and his Lady*, imploring his aid and assistance, *speedily to revenge it, he being extracted out of his Royal blood*. The king and Danes hereupon, being exceeding glad that they had this inducing cause to invade England, presently gathered together a great Army to revenge this Injury done to Bruern, being of his Blood, appointing his

two Brothers, *Inguar* and *Hubba*, most valiant Souldiers, to be their Generals; who providing Ships and other Necessaries, transported an innumerable Army into *England*, and landed them in the *Northern parts*; This being the true Cause why the *Danes* at this time invaded *England* in this manner. In the mean time, the Parents, Kindred, and Friends of *Bruern*, expelled and rejected King *Osbrith*, for this Injury done to him and his Lady, refusing to hold their Lands of, or to obey him any longer as their Sovereign, and advanced one *Ella* to be King, though none of the Royal blood. Our other [c] *Historians*, who mention not this fact of *Osbrith*, and occasion of these *Danes* arival to revenge it, write, that the *Danes* upon their Landing marched to the City of *York*, wasting all the Country before them with fire and Sword unto *Tinmouth*. At that time (they write) by the Devils instinct, there was a very great discord raised between the *Northumberlanders*, Sicut semper populo qui odium incurrerit evenire solet: For the *Northumberlanders* at that time had expelled their lawfull King *Osbrith* out of the Realm, and advanced one *Ella*, a Tyrant, not of the Royal blood, to the Regal Sovereignty of the Kingdom: By reason of which division, the *Danes* taking *York*, ran up and down the Country filling all places with blood and Grief, wasting and burning all the Churches and Monasteries far and near, leaving nothing standing but the Walls and ruines of them; pillaging, depopulating, and laying waste the whole Country. In which great necessity and distress the *Northumberlanders* reconciling their two Kings, *Osbrith* and *Ella*, one to another, gathered a great Army together against the *Danes*; which their two Kings and eight Earls marched with to *York*; where after a long fight, with various success, both the said Kings with most of the *Northumberlanders* were all slain April 11. Anno 867. The City of *York* consumed with fire, and the whole Kingdom made tributarie to the *Danes*: [d] *Simcon Dunelmensis* relates, that both

Proposition 8.

[c] Florent.

wigorn. Mat.

westm. Anno

867 Sim. Du-

nelm. Hist. de

Dunelm. Eccl.

c. 6. Huntingd.

Hist. J. s. p. 349.

Roger, Hoven-

den, An. pars

prior, p. 415.

Ethelwerdi

Hist. l. 4. c. 2.

p. 842. Poly-

chron. l. 5. c. 32.

Hist. de Sancto

Cuthberto col.

70. Sim. Du-

nelm. de gest.

Reg. Ang. col.

123, 142.

Tho. Stubbs. A-

etus Pontif.

Ebor. col. 1608

Speeds Hist. p.

248. See Hol-

lished, Fabian

and Grafton.

[d] Hist. de

Dunelm. Eccl.

c. 6. col. 14. &

Hist. de Sancto

Cuthberto col.

70.

Propost. 3. 4. these kings had violently & sacrilegiously taken away certain Lands from S. Cuthberts Church in Durham for Osbert had by a sacrilegious attempt taken away Wircewood and Tillemouth; and Ella, Billingham, Heclif and Wigeclif & Creca from S. Cuthbert: *tandem cum maxima parte suorum ambo praefati Reges occubuerunt, & Injurias quas Ecclesia sancti Cuthberti aliquando irrogaverant, vitâ privati, & regno persolverunt*; Which the Author of the History of St. Cuthbert, observes and records more largely, as a punishment of their sacrilegious Rapine: The Danes hereupon made Egbert king of Northumberland, as a Tributary and Viceroy under them: *Sic Northumbria bello jure obtenta barbarorum dominium multo post tempore pro conscientia liberatae Ingenuit*, writes Malmesbury de Gestis Regum Angliæ, l. 2. c. 3. p. 42.

Propost. 8. These rebellious Northumberlanders about 7 years after, *uno conspirantes consilio*, expelled Egbert the Realm by unanimous consent, together with Archbishop Wilfer, making one Richius King in his Place; the Danes both then and long after possessing and wasting their Country, and slaughtering them with fire and sword (as the * Marginal Historians record) more than any other parts of the Island, by a just divine punishment for their manifold Treasons, Seditions, Façons, Rebellions against, and Murders of their Sovereigns.

Anno 868. In the year (e) 868. a great Army of these violent & famous plundering Danes, marched out of the Kingdom of Northumberland to Nottingham, which they took, and there wintered; Whereupon Beorred (or Brubred) King of Mercians, *omnesque ejusdem gentis Optimates*, and all the Nobles of that Nation assembled together, Where the King, *Consilium habuit cum suis Comitibus, & comilitonibus, & omni populo*. Huntingd. Hist. l. 5. p. 349. Hoveden Annal. pars 1. p. 416. Ingulph. Hist. p. 863, 864. Chron. Joh. Bromton, col. 807. Polych. l. 5. c. 32. Fabian, Holinshed, Grafton, Speed in the life of Beorred and Eilbened.

pulo non subjecto; Qualiter inimicos belliea virtute exuperaret; sive de Regno expelleret; held a Council with his Earls and fellow Soldiers, and all the people subject to him; how he might vanquish these Enemies with military power, or drive them out of the Realm: By whose advice, he sent Messengers to Ethelred King of the West-Saxons, and to his Brother Elfrid, humbly requesting them, that they would assist and joyn with him against the Danish Army; which they easily condescending to, gathered a very great Army together out of all parts, and joyning all together with Beorred and his forces, marched to Nottingham, unanimously, with a resolution to give the Danes battel; who sheltering themselves under the works of the Castle and Town, refused to fight with them; whereupon they besieged them in the Town, but being unable to break the Walls, they concluded a Peace at last with the Danes, upon condition, that they should relinquish the Town, and march back again into Northumberland, which they did; where their Army continued the whole year following, in & about York, debacchans & insanians, occidens & perdens per plurimos viros & mulieres.

[f] Abbot Ingulphus records; that during the siege of Nottingham, King Beorred, (as he styles him) at the request of Earl Algar the younger (who was very gracious with him and the other Kings. *causa sua nobilis militia*) granted a Charter of Confirmation, not only of all the Lands, Advowsons, Possessions, which this Earl, with other particular persons and Kings had given to the Abby of Eroyland, but likewise of all their former Privileges, confirming all their Lands, Marishes, Churches, Chapels, Mannors, Mansions, Cottages, Woods, Lands, Meadows, (therein specified) to God and Saint Guthlac for ever, Libera & Soluta, & emancipata ab omni onere terreno, & servitio seculari, in Eleemosynam eternam perpetuo possidendam. Which Charter hath this memorable *exordium*, expressing the motives

Proposit. 5, 6, 9,

[f] Hist. p. 863, 864.

Proposit. 30, 1,

[f] Hist. p. 863, 864.

tives inducing this King to grant it.

‘*Beorredus* largiente Dei gratiâ Rex *Merciorum*, omnibus provinciis, & populis earum universam *Merciam* inhabitantibus, & fidem Catholicam conservantibus salutem sempiternam, in Domino nostro Jesu Christo. Quoniam peccatis nostris exigentibus, manum Domini super nos extensum, quotidie cum virgâ ferreâ cernimus cervicibus nostris imminere, Necessarium nobis & salubre arbitror, piis sanctæ matris ecclesiæ precibus Eleemosynarumque liberis largitionibus iratum Dominum placatum reddere, et dignis devotionibus ejus gratiam in nostris necessitatibus auxiliariam implorare, Ideoque et ad petitionem strenui Comitis, mihi meritoque dilectissimi, concessi regio Chirographo meo *Theodoro Abbati Croyland*, Tam donum dicti Comitis *Algari*, quam dona aliorum fidelium præteritorum ac præsentium, &c. And it concludes thus. Istud Regium Chirographum meum, Anno Incarnationis Domini nostri Jesu Christi, 868. Calendis Augusti apud *Snothingham* coram fratribus, & amicis, & omni populo meo in oblatione *Paganorum congregatis*, sanctæ crucis munimine confirmavi, Then follow the subscriptions and confirmations of *Ceolnoth* Archbishop of *Canterbury*, 5 Bishops, 3 Abbots, *Ethelred* king of *West-Saxons*, and *Alfred* his Brother, *Edmund* king of *East-Angle*, 2 Dukes, and twelve Earls, who all ratified this Charter.

After which Charter confirmed, this king *Beorred* renders special thanks to all his Army, for their assistance against the *Danes*, especially to the Bishops, Abbots, and other inferior Ecclesiastical Persons, for their voluntary assistance of him in those wars against these Enemies, notwithstanding his Fathers exemption of them by his Charter from all military expeditions and secular services: thus recorded by [*g*] *Ingulphus*, and most worthy observation.

Hist. p. 364.
868.

‘*Ego Beorredus Rex Merciorum*, Intimo animi affectu,

secundum, totisque precordiis gratias exolvere speciales, omni exercitui meo, maxime tamen Viris Ecclesiasticis, Episcopis & Abbatibus, aliis etiam inferioribus, status & dignitatis. Qui licet pater suae memoriae, Rex quondam *Eshelwulfus* pater meus, per sacratissimam Chartam suam, ab omni expeditione militari vos liberos reddiderit, & ab omni servitio seculari penitus absolutos; dignissima tamen miseratione super oppressiones Christianae plebis Ecclesiarumque, & Monasteriorum destructiones luctuosas, benignissime compassi, contra nefandissimos Paganos in exercitum domini prompti & spontanei convenistis, ut, tanquam Martyres, Christi cultus sanguine vestro augeatur, & barbarorum superstitiosa crudelitas effugetur.

Proposit. 1, 3, 8.

From these last Passages, it is apparent: first, That in those days our *Saxon* Kings made War and Peace by the advice and consent of their Nobles and Parliamentary great Councils. 2ly. That in cases of common invasion and danger by foreign Enemies, all the forces raised; and ways and means to resist them, were concluded on by advice and consent of these great Councils, and not by the kings absolute power. 3ly. That all, or most Church-men and their Church-lands, in those days, were absolutely freed and discharged from all military expeditions; Contributions, Aids and Assistance against Enemies, by express Charters, but only such as themselves voluntarily and freely contributed in cases of incumbent great Danger and Necessity, without compulsion; for which their kings rendered them special and hearty thanks; acknowledging and confirming these their Immunities, not violating them upon such Necessities, as this Notable passage of *Ingulphus* attests, together with that of [h] *Mar. Wash. An. 867. Concerning Alstan Bishop of Sherborne,* [h] *Page 312, & Malmesb.* *de Gestis Regum, l. 2 c. 2. p. 57.*

Propost. 1.3.

a man of very great Power and Counsel in the Kealm :
Contra Danos quoque qui tunc primò insulam infestabant,
Regis Aschelulfi savitiam ex acuit; Ipse ex fisco pecuni-
am accipiens, ipse exercitum componens, Martis
felix eventibus contra hostes bella plurima constanter
peregir : receiving Money out of the Kings Exchequer
 (not the Peoples Purses or Contributions) to manage
 these Wars and not warring on his own expences. 4ly.
 That the Nobles, Gentry, and People of the Realm,
 were the only standing *Milits* in that Age, to defend
 it against forein Enemies in times of danger or actual
 invasion; when they marched out of their own Coun-
 tries against them, voluntarily and freely adventuring
 their lives for defence of their King, Country, Religi-
 on, Liberties, Properties; as they did at this siege of
Nottingham, and during all the long-lasting Danish
 Wars, Invasions, and Depredations both by Land and
 Sea. 5ly. That our Christian Kings, Nobles, and great
 Councils of those days, in times of greatest danger,
 Invasion and Wars, held it most seasonable and neces-
 sary to confirm and enlarge the Churches Patrimony,
 Liberties, and Privileges; thereby to stir up their
 Clergy-men more earnestly to assist them with their
 Prayers; not to diminish, invade or infringe them, un-
 der pretext of Real inevitable necessity and danger
 (the practice of late and present times) Whereupon
 they granted and confirmed this forecited Charter in
 the very *Arms* during the siege of *Nottingham*, be-
 fore all the Kings, Princes, Prelates, Dukes, Earls,
 and people there present.

An. 870.
 (1) Ingulphi
 Hist. p. 865 to
 869, Mat.
 westm. wigorn.
 Huntingd. Ho-
 veden, Brom.
 Radulf. de Di-
 ceto. Sim. Du-
 nel. Polychron.
 Fabian, Graf-
 ton, Holinsbed,
 Speed, Ethel-
 wercus in the
 life of Ethel-
 red and An.
 870.

(1) In the year 870. *Ingwar* and *Hubba*, with the rest of
 the Danes coming into *Resteven* in *Lincoln-shire*,
 wasting and ravaging all the Country with fire and sword,
 thereupon *Earl Aelfric*, *Osgor* Sheriff of *Lincoln*, and
 all the Gentry and People in those parts, with the Band
 of the *Abby of Croyland* (under the Command of *Wulf-*
 a Monk, formerly a Soldier) consisting of 200 stout
 men,

men, (most of them Fugitives thither for Sanctuary) uniting all their forces together in *Kesteven*, on the Feast of St. *Maurice*, fought with the *Danes*, and slew 3 of their Kings, with a great multitude of their forces. That night the other *Danish* Kings (dispersed abroad to pillage the Country) with a great booty & many captains, coming to the tents of their routed Companions, with a numerous Army, were enraged with the slaughter of their Confederates, in their absence: Whereupon most of the *English* secretly fled away from the *Earl* and their Captains in the night through fear: who early in the morning having heard divine Offices, and receiving the Sacrament, resolved not to retreat, but manfully to fight with the *Danes* (though not above 700 to their many thousands) *being most ready to die for the defence of the faith of Christ and of their Country*: Whereupon the *Danes* assailing them with great multitudes and fury, they all standing and fighting close together, valiantly sustained their assaults from morning till evening, without giving ground. Upon which the *Danes* to sever them, purposely feigned a Flight, and began to leave the Field: Hereupon the *English*, contrary to the commands of their Captains, dissolving their Ranks, and dispersing themselves to pursue the *Danes*, they suddenly returned and slew most of the *English*, who fought gallantly with them to the last gasp, some few of them only escaping; After which the *Danes* marching to the *Abby of Croyland*, put the *Abbot* with all the Monks and Persons they there found (one Child excepted) to the Sword, *after they had extremely tortured them to discover where their Treasures were*; broke up all the Tombs, pillaged and burnt the *Abby*, with all the Edifices thereof, leaving it a meer ruinous heap; then marching on, laying all the Country waste before them with fire and Sword, sparing neither person, age, nor sex, they cast down, burnt, destroyed, and levelled to the Ground the goodly
Mo

(m) Mat.
VWestm. An.
870. p. 313.
Speeds Hist. p.
383.

Monasteries of Bradney, Peterborough, Huntingdon, Ely, with sundry others, murdering as well all the Monks as Nuns therein, which their merciless Swords, after they had first polluted them. To avoid whose barbarous rape, (m) Ebba Abbess of Coldingham and her Nuns (by her example and perswasion) cut off their upper Lips, and Noses, to deform themselves to their lascivious eyes; which bloody Spectacle preserved their Chastity from their Lust; but not their Monasteries or bodies from their Cruelty, they burning them and their Nunnery to Ashes.

Anno 870.

(n) Mat.

VWestm. Anno

855.870. VVil.

Malm. de gest.

Reg. l. 2. c. 3. v.

13. Hunt. Hist.

l. 5. p. 349.

Hov. Annal.

pars 1. p. 416.

Ethel. Hist.

l. 3. c. 1. Chron.

Jo. Bromton.

col. 745, 754.

804, 805, 806.

Sim. Dunelm.

Hist. de Eccl.

Dunelm. l. 2. c.

6. et de gest.

Reg. Ang. col.

124, 143. Po.

lychron. l. 5. c.

42. Fab. Graft.

for murdering him, and so sent to Sea; being driven in it into Hollinshed,

Denmark, to excuse himself, he maliciously accused the Caxton, Speed

King of this Murder, to these his Sons; Who thereupon

invaded England with an Army to revenge their Fathers

St. Edmund.

Fox Acts and death.

And the Reason why they at this time so ex-

traordinarily prevailed, and over-run the Land, was

the Civil Discords, wars, and Emulations amongst the

Saxon Kings; who either out of Malice or Ambition

to advance their own Dominion, or base unworthy

fear,

After which, the same year Inguar and Hubba marched against St. Edmund, who in the year 855. was chosen King of the East-Saxons Ab omnibus Regionis illius magnatibus et populis, by all the Nobles and People of that Realm (being sprung from the antient Royal blood of the Saxons) and compelled to take the Government on him much against his will, being then but 13 years old, and consecrated King by Bishop Humbert in the Royal Town called Bury. The reason of their malice to this King, (as some of our Historians write) was this, that he was maliciously accused to have murdered the ir Father Lothbroc, driven by a sudden storm in a small boat into England as he was hawking at Fowl, by this Kings Faulkoner: who having murdered himself out of meer malice, was by judgement of the Knights and Lawyers banished the Realm, and put alone into Lothbrocs Boat, without Oare or Sails for murdering him, and so sent to Sea; being driven in it into Denmark, to excuse himself, he maliciously accused the Caxton, Speed King of this Murder, to these his Sons; Who thereupon invaded England with an Army to revenge their Fathers Fox Acts and death. And the Reason why they at this time so extraordinarily prevailed, and over-run the Land, was the Civil Discords, wars, and Emulations amongst the Saxon Kings; who either out of Malice or Ambition to advance their own Dominion, or base unworthy fear,

fears, would rather induce these common Enemies to over-run them, than assist one another against them; which (n) William of Malmesbury thus expresseth. *Meminerit interea lector, quod interim Reges Merciorum et Northanimbriorum, capta occasione adventus Danorum, quorum bellis Ethelredus insudabat, a servitio West-Saxonum respirantes, dominationem suam per efferant. Ardebant ergo cuncta sevis popularibus provinciæ, unusquisque Regum inimicos magis in suis sedibus sustinere, quam compatriotis Laborantibus opem porrigere curabat: Ita dum maluit vindicare, quam prævenire injuriam, socioriam suam exanguem reddiderunt Patriam. Dani sine obstaculo succedere; dum et provincialibus timor increderet, et proxima quæq; victoria per additamentum Captivorum, instrumentum sequentis fieret, &c. Northanimbri jamdudum civilibus dissentionibus fluctuantes, adventante hoste correxerunt discordiam. Itaque Osbirthum Regem quem expulerant, in solium reformates, magnosque moliti parati, obviam procedunt; sed facile pulsi, infra Urbem Eboracum se includunt: quæ mox à victoribus succensâ, cum laxos crines effusior flamma produceret, tota depascens mensa, ipsi quoq; conflagrati; patriam ossibus texere suis, Mercii non semel obtriti, obsidati miseras suas levaverunt. At vero Ethelredus multis laboribus infractus obiit: Orientalium Anglorum pagi, cum urbibus et vicis à prædonibus possessi; Rex eorum sanctus Edmundus, ab eisdem interemptus: Anno Dominicæ Incarnationis 870. 12 Calendas Decembris, temporanea mortis compendio regnum emittit æternum.*

(n) De gest. Reg. l. 2. c. 3. p. 42.

(o) See those forecited at (m) and cap. grav. Surin, and Ribadeniera, Antonius in the life of St. Edmund, Malm. De Gestis Reg. l. 2. c. 3.

The manner of King Edmunds Martyrdom (o) Historians thus relate. An. 870. Hingwar King of the Danes invading King Edmunds Realm with a great Power sent a Messenger to King Edmund to demand the half of his Treasure and Wealth, and that he should hold his Realm under him; threatening otherwise to waste his Kingdom and extirpate him and his People. Sed nimis fraudulen-

[9] An. 870.
p. 390.

ter Hingnar thesauros exigebat, qui Clementissimi Regis caput potius quam pecunias stitabat, writes [9] *Matthew Westminster*. Whereupon Bishop Humbert advising him to fly from the Danes (who approached with their forces towards him) to save his life, The King wished; *Would to God that I might preserve the lives of my Subjects, for whom I desire to lay down my life; for this is my chiefest wish, that I may not survive my faithfull Subjects, and most dear friends, which this Cruel Pirate hath trevishly slain; neither will I stain my glory by flight, who never yet sustained the reproaches of Warre. The Heavenly King also is my Witness, that no fear of the Barbarians shall separate me from the Love of Christ, whether living or dead. Then turning to the Messenger of Hingnar, he said, Thou art worthy to suffer the punishment of death, being wet with the blood of my people; But imitating the example of my Christ, If it should so happen, I am not afraid willingly to die for them; Return therefore speedily to thy Matter, and carry my answers to him: Although thou takest away my Treasures and riches which the Divine Clemency hath given me, by thy power; yet thou shalt never subject me to thy infidelity: for it is an honest thing to defend perpetual liberty, together with purity of Religion for which also, if there be need, we think it not unprofitable to die: Therefore, as thy proud cruelty hath begun, after the servants slaughter cut thou the Kings throat; because the King of Kings seeing these things, will translate me into Heaven, there to reign eternally. The Messenger departing, the King commanded his Souldiers to run to their Arms, affirming that it was a worthy thing to fight both for their Faith and Country, lest they should prove deserters of their Realm, and betray-ers of the people. And being encouraged by Bishop Humbert, his Nobles, and fellow Souldiers, he marched against the Enemy, and near Thedford fought a bloody battel with the Danes, from morning to night,*

the

Proposit. 84

Nota

the place being all dyed red with the blood of the slain. At which grievous sight King Edmund was much grieved, not only for the great slaughter of his own Souldiers fighting for their Country & native liberty, & the faith of Jesus Christ, & so already Crowned with Martyrdom: But likewise for the death of the Barbarous Infidels, sent down to Hell in great numbers; which he overmuch lamented. After which battel, retiring to *Hegelsdun* with his forces that were left, he immutably resolved in his mind, never to fight battel with the Enemies more, saying only this; that it was necessary that he alone should die for the People, and not the whole Nation perish. Soon after *Hinguars* Army being recruited by the access of *Hubba* to him, with ten thousand men, he marched to *Hegelsdun*, and surrounded it, that none might escape thence; Whereupon King Edmund flying to the Church, and casting down his temporal Armes, humbly prayed the Father, Son, and Holy Ghost to give him constancy in his passion: Then the Danish Souldiers seising on him, brought him from the Church before *Hinguar*; by whose command he was tyed to a tree hard by, cruelly whipped a long time, then shot through with Darts, wherewith his Body was stuck full; after which, being taken from the tree, his Head was cut off from his Body, with a bloody sword by the Barbarous Executioner appointed for that purpose; and so he died a most glorious Martyr for his Kingdom, Country, Subjects, and Religion: to whose memory a famous Monastery was after built; Of which *William of Malmesbury de Gestis Regum*, l. 2. c. 13. p. 89. gives this Relation; *Quibus Artibus Edmundus ira sibi omnis Britannia devinxit incolas, ut beatum se in primis attruat, qui Connobium illius, vel nummo vel valenti illustraret. Ipsi quoque Reges aliorum Domini, servos se illius gloriantur, & coronam ei regiam missitant, magno si uti volunt redimentes commercio.* *Cratores vestigallum qui alibi Bacchan-*

Proposit. 1.

tur fas nefasque iuxta metuentes tibi supplices, ci-
 ra vlla um sancti E mundi, litationes sistant, ex-
 perti multorum penam, qui perseverandum puta-
 runt; which I with our Tax-Exactors, and Excisers
 would now remember.

Anno 870.

[r] Ingulphi
 Hist. p. 868,
 869, 911.

Whiles the Danes were thus wasting the Kingdoms
 of Northumberland and the East-Saxons with Fier and
 Sword, and martyring King Edmund [x] Beorred king
 of Mercians was busied in warring against the Britains,
 who infested the Western parts of his Realm: But
 hearing the Danes had invaded the Eastern part of his
 Kingdom, he came to London, and gathering a great
 Army together, marching with it through the Eastern
 quarters of his Realm, he applyed the whole Isle of Ely to
 his Exchequer, taking into his hands all the lands formerly
 belonging to the Monastery of Medehamsted, lying between
 Stamford, Huntindon and Wisebeck, assigning the
 Lands more remote, lying scattered through the Country,
 to his Souldiers. The like he did with the Lands of the
 Monastery of St. Pega of Rikirk; retaining certain of
 them to himself, and giving some of them to his Souldiers.
 And the like did he with the Lands of all other Mona-
 steries, destroyed totally by the Danes: whose Lands
 by Law * escheated to the Crown, and those Lords,
 whose predecessors founde d and endowed them, by the
 slaughter and chasing away of all the Monks & Nuns &
 burning of the Monasteries; whose Lands thereupon
 were returned and confiscated to the Kings Exche-
 quer: Et cum cetera Monasteria per Danorum ferocita-
 tem funditus destructa, Regali fisco fuerant ascripta,
 denuo et assumpta. omnibus monachis eorum neca-
 tis, perditis, seu penitus fugatis, as Ingulphus in-
 forms us of the Reason; yet many of the Monks of
 Croyland elcaping the Danes fury, and returning soon
 after thither again, electing a new Abbot, and repair-
 ing their Monastery by degrees, as well as that exi-
 gency would permit, thereupon they enjoyed the sight
 of

* 7 E. 4. 11,
 12. Brook
 Escheat 19.

of the Fundamental Liberties, Rights, Laws of England.

of the whole Abby, and the Isle of Croyland, with the self same Liberties and Privileges they had from the beginning, discharged from all secular services, during all the time of this their desolation, & the Danish wars, till the time of its restoration; & after that till Ingulphus time, as he records. Notwithstanding, because many of the Monks were slain, and the Abby burnt down & demolished by the Danes; King Beorred thereupon seized some of their lands into his own hands, & gave other of their Lands more remote from the Abby to his stipendiary Soldiers.

And although venerable Abbot Godric, took very much paines, frequently demanding restitution of them both from King Beorred & his Souldiers, and very often shewed the Charters of the Donors, & the confirmations of former Kings, together with, his own proper Charter, to this Kings, yet he received always nothing but empty words from & him them: whereupon he at last utterly despaired of their restitution. Perceiving therefore the overmuch malice of the times, et Militiam * Regis Terrarum cupidissimam, and the Kings Milinia, and Soldiers most covetous of Lands, he resolved with himself in conclusion to passe by these Royal Donations Surdo Tempore, in a deaf time; being over-glad & rejoycing, that the Kings grace had granted the whole Island lying round about the Monastery unto it, free and discharged from all Regal exactions, much more specially to him then at that time, which had not happened to many other Monasteries. There departed therefore at that time from the Monastery of Croyland these possessions which never returned to this present day: The Mannor of Spalding given to Earl Adelwulfe, with all its appurtenances: The Mannor of Deeping given to Langfer a Knight, (or Souldier) and the Kings Baker, with all its appurtenances; The Mannor of Croxton given to Fernod a Knight (or Souldier) the Kings Ensign-bearer, with all its appurtenances; The Mannors of Kerketon and Kimerby in Lindsey, with all their appurtenances, given to Earl Turgot; but Bukenhale and Halington, then appropriated to the Exchequer,

* Are not the Souldiers now sick of the same disease.

Propos. 4.

were afterwards restored to the said Monastery by the Industry of Turketulus, Abbot of Croyland; and the gift of most pious King Edred, the Restorer of them with 12 other Mannors (named by Ingulf.) belonging to Croyland; quas Rex Beorredus Fisco suo auumserat, Which King Beorred had then assumed in his Exchequer. After which K. Beorred passing with his Army into Lindesey, Latissimas Terras Monasterio Bardney (totally ruined by the Danes) Dudum Pertinentes Fisco suo accepit, remotas vero in diversis patriis divisas jacentes, Militibus suis dedit. But mark the issue. At last [s] the Danes returning into Mercia Anno 874. wasting and spoiling all the Country with fire and sword, and destroying all Churches and Monasteries, King Beorred, when he beheld all the Land of England, in every corner thereof, wasted with the slaughters and rapines of these Barbarians, vel de victoria desperans, vel tot laborum Labyrinthum fastidiens, either despairing of victory, or loathing the labyrinth of so many troubles, left the Kingdom, and went to Rome, where he died few days after, and was there buried in the English School, and his Wife following after him, died in her way to Rome; Some write, he was driven out of his kingdom by the Danes.

Hereupon the (1) Danes, Anno 874. substituted in his place in the Realm of Mercia, one Ceotwulfus, a servant of King Beorreds, an Englishman by Nation, sed Barbarus impietate; but a Barbarian in impiety. For he swore fealty, and gave pledges to the Danes, Quod tributa imposita eis fideliter persolveret, that he would faithfully pay unto them the Tributes they imposed, and that whensoever they would redemand the Kingdom committed to him, He would resign it without any Resistance, under pain of losing his Head. Whereupon he (as Ingulphus records) going round about the Land, paucos Rusticos relictos excoiavit, Mercatores absorbuit, Viduas & Orphanos oppressit, religiosos omnes tanquam concisos thesaurorum innumeris tormentis affixit; plucked off the Skins of the few Countrymen that were left; swallowed

[s] Matthew
Westm. Floren.
Vigorn. An.
874. p. 313.
Chron. Joh.
Bromt. col.
779, 810.
Sim. Dunelm.
Hist. de Gest.
Reg. Ang. col.
127. VII.
Malm. de Gest.
Reg. l. 1. c. 4.
p. 33. Huntin.
Hist. l. 5. p.
349. Hoveden
Annal. pars
prior, p.
417. Speeds
Hist. p. 256.

Anno 874.
[t] Ingulphi
Hist. p. 869,
870. Florent.
Vigorn. An.
874. p. 313.
Chron. Joh.
Bromt. col.
810. Simeon
Dunelm. de
Gest. Reg. Ang.
col. 127. VII.
Malmesbury
de Gest. Reg.
l. 1. c. 4. p.
33. Huntin.
Hist. l. 5. p.
349. Hoveden
Annal. pars
prior p. 417.

up the Merchants, oppressed the Widows and Orphans, and afflicted all Religious Persons, as conscious of hidden Treasures, with innumerable torments: whence amongst very many evils he did, Imposing a Tribute of a thousand pounds upon Godric, the venerable Abbot of Croyland, and his miserable Freers, he almost undid the Monastery of Croyland. 'For no man after that, by reason of the overmuch Poverty of the place, would come to conversion; Yea Abbot Godric being unable to sustain his professed Monks, dispersed many of the Monks amongst their Parents and other Friends of the Monastery through all the Country, very few remaining with him in the Monastery, and protracting their life in greatest want. Then all the Chances of the said Monastery except 3. and all the silver Vessels, besides the Crucible of King *Wihlafus*, and other Jewels very precious, being changed into Money, or sold for Money, were scarce able to satisfy the unsatiable covetousness of *Coolwulfe*, the Vice-roy: who at last, by his Lords the *Danes*, most just in this, (after all his Rapines and Oppressions of the People by unjust Taxes and imposts) was deposed and stripped naked of all his ill-gotten Treasure, even to his very Privities, and so ended his life most miserably.' And the Kingdom also of the *Mercians* at this very time, (King *Alfred* prevailing against the *Danes*) was united to the Kingdom of the *West-Saxons*, and remained so united ever after, when it had continued a Kingdom from the first year of *Penda* (the first King thereof) to the last times of this miserable Viceroy *Coolwulph*, about 230 years: Of which Kingdom (a) *William of Malmesbury* thus concludes; *Ita Principatus Merciorum, qui, per tumidam gentilis viri insaniam subito effloruit, tunc per miseram senis viri ignaviam omnino emaruit, Anno Dom. 875.* though *Speed* post-dates its period in the year 886. Whence it is observable, that unjust Rapines, Taxes, Oppressions speedily & suddenly destroy both Kings and Kingdoms. The

Proposit. 1. 4.

(a) De Gestis Reg. l. 1. c. 4.

The next year following Anno 876. (b) *Halden* king of the Danes, seizing upon the seditious kingdom of Northumberland, *sibi eam, suisq; Ministris distr. buit,* An. 876. *Hun-* illamq; ab exercitu suo colifecit *anobus Annis*; totally tingd. *Hist. l. 5.* dispossessing the seditious, murderous Northumberlanders thereof; who but a little before had expelled both their King and Archbishop out of their Realm. *den, Annal.* This *Halden* and his Souldiers miserably wasted *pars prior p.* and destroyed the Churches of God in those parts, for *417. Ethel.* which the wrath of God suddenly fell upon *Halden*; who *Hist. l. 4. c. 3 p.* was not only struck with madnesse of mind, but with such *844. Sim. Du-* a most loathsome disease in his body, which much torment- *nel. Hist. de* ed him, that the intollerable stink thereof made him *Dunel. Eccles.* so odious & loathsome to his whole Army, that being contem- *col. 14, 17, 21.* ned and cast out by them all, he fled away from *Hist. de San-* *Eto Guthberto* Tine, only with three Ships, and soon after perished *col. 70. & de* with all his Plundering, Sacrilegious Followers; The *Gest. Reg. col.* Danes elected *Guthred* king in his stead, possessing this *155.* seditious Realm of Northumberland till dispossessed of *Proposition 4.* it by king *Edmund* An. 944. who then annexed it to his kingdom.

Our Noble Saxon King (c) *Alfred* the first anointed king of England, (as glorious for his most excellent Laws, Anno 877. transcendent Justice and civil Government, as for (c) *Florentius* his Martial Exploits, Victories; and for his incom- *wigorn. &* parable Piety and extraordinary bounty to the Cler- *Mat. westm.* gy and Learned men) comming to the Crown Anno *An. 871 to 900.* *See Malmes.* Dom. 871, in the years 873, 874, and sundry years fol- *Huntingd. Af-* lowing, by common consent of his Wise men, com- *ser. Fab, Hol-* manded long Ships and Gallies to be built, throughout the *inshed, Speed,* Realm, and furnished with Mariners, to guard the Sea *and others in* *his life. Lamb.* Arch. Spelman and encounter the Danish Ships and Pirates, which then *concl. p. 360,* infested and wasted the Realm, from time to time: whose *362. Ingulph.* forces he often encountred, as well by Sea as by Land, *Histor. p. 870,* with various success. At last having obtained the *871. Chron. lo.* *Brom. col. 809 to 832.* *Proposit. 3, 5, 6, 7, 9.*

Monarchy of all England, and received their Homages and Oaths of Fealty to him, he appointed special Guardians to guard the Seas and Sea-coasts in all places; Whereby he very much freed the Land from the Danes devastations. About the year 887. (even in the midst of his wars, Anno 887. when Laws use to be silent) he compiled a body of Ecclesiastical and Canon Laws out of the sacred Scriptures, and the Laws which his pious predecessors, Ina, Offa, and Ethelbert had religiously made and observed; antiquating some of them, retaining, reforming others of them, and adding some new Laws of his own, by the advice and counsel of his wisemen, & of the most prudent of his Subjects; the observation of which Laws was enjoined by the consent of them all. Wherein certain fines and penalties were prescribed for most particular offences, which might not be altered or exceeded: Amongst other Laws, (as (d) Andrew Horn, (d) Mirrour of Justices, c. 1. and others record) this King and his Wisemen ordained: That a Parliament twice every year, and oftner in time of Peace, (should be called together at London, that therein they might make Laws and Ordinances to keep the People of God from sin, that they might live in peace, and receive right and Justice by certain customs and Holy Judgements; and not be ruled in an arbitrary manner, but by stable known Laws.

Propos. 5, 6.

(d) Mirrour of Justices, c. 1. sect. 3. p. 10. c. 5. sect. 1. Cooks Preface to his Reports 1 Institutes, f. 310. See Spel. Concil. p. 347.

Proposit. 5, 6.

And it was then agreed, that the King should have the Sovereignty of all the Land unto the midst of the Sea environing the Land, as belonging of Right to the Sovereign Jurisdiction of the Crown. 'This King, '[e] by appointing Hundreds and Tithings throughout the Realm, with Constables and Tithing men, 'who were to take sureties, or pledges for the good 'behaviour of all within their Jurisdictions, or else 'the hundred to answer all offences & injuries therein 'committed, both to the party and king, caused such a 'general peace throughout the Realm; and such security 'from Robbers and plunderers even in those times of 'war, That he would hang up golden bracelets in the

(e) See Mat. Westm: An. 892 Ingulphi Hist. p. 870. 871. Chron. Iohan. Bromp. ton col. 818 819 Chron. Vill. Thorn cap. 5. Sect. 4 Col. 1777.

(f) *Mat. Westm. An.*
 888 *Florent.*
Wigorn. An.
 887 p. 326.
 327.

(g) *Mirror of Just. cap. 3.*
Sett. 3. p. 296.
 10 301.

Proposit. 2.

‘High-ways, and none durst touch them, and a Girl
 ‘might have travelled safely, laden with Gold, from
 ‘one end of the Realm to the other, without any vi-
 ‘olence. [f] *Matthew Westminster*, and *Florence of Wor-*
 ‘cester record, That he spent a great part of his time in
 ‘Compositione legum, Quibus **Spilbozum Rapacita-**
 ‘tem Repzimeretur, & simplex nedium devotio ar-
 ‘maretur; And amongst many other memorable acts of
 his Justice, as he frequently examined the Judgements
 and Proceedings of his Judges and Justices, severely
 checking them when they gave any illegal Judgement a-
 gainst Law and Right, meerly out of Ignorance, of which
 they were to purge themselves by Oath, that they could judge
 no better: so he severely punished them when they thus offen-
 ded out of Corruption, Partiality and Malice. (g) *An-*
 drew Horn in his *Mirror of Justices* records, That he
 hanged up no less than 44 of his Judges and Justices in one
 year, as **Murtherers and Capital Offenders**, princi-
 cipally, for their false Judgements, in condemning and ex-
 ecuting sundry of his people against Law, without any
 lawfull tryal by their Peeres, or Verdict and Judge-
 ment by a sworn Jury; or upon insufficient evidence, or
 for Crimes not Capital by the Laws. The names of these
 Judges with their several offences, you may read at large
 in Horn. Had those pretended Judges of a new edi-
 tion, who of late arraigned, condemned, executed
 the King, Nobles, Gentlemen and Freemen of England
 in strange new arbitrary Courts of high Justice, without
 any legal Indictment and Tryal by a sworn Jury of
 their peers; and many of them, for offences not Capi-
 tal by any known Lawes or Statutes of the Realm, and
 upon very slender evidence, lived in this *Just Kings*
 reign, they might justly fear he would have hanged
 them all up, as *Murtherers and Capital Malefactors*, as
 well as these 44 Judges, not altogether so peccant in
 this kind as they: this form of tryal by sworn Juries of
 their Peers then in use, being since confirmed by the
 Great

Great Charters of King John and King Henry the 3, some hundreds of subsequent Statutes, and the Petition of Right not known in Alfreds days.

I find in the Preface to King Alfreds Laws (of which * De Gen. Reg. Laws Abbot Ethelred gives this true encomium, Leges Ang. col. 355. Christianissimas & scripsit, & promulgavit, in quibus fides ejus et devotio in deum, sollicitudo in subditos, (b) Lambardi misericordia in pauperes, *Iusticia circa omnes cunctis Archaion Spelmanni Concl p. 362.* legentibus patet) this observable passage: *That the Apostles & elders assembled in a Synod at Jerusalem, Acts 15. in their Epistle to the Churches of the Gentiles, to abstain from things offered unto Idols; added this Summary of all Laws: And what ye would not to be done to your selves, that doe ye not to others: from which one precept it sufficiently appeareth, unicuique ex æquo jus esse reddendum; that right or Law is of Justice to be rendered to every one; neither will there be need of any other Law or Law-book whatsoever, if he who sits Judge upon others, shall only remember this, that he would not himself should pronounce any other sentence against others than what he would should be passed against himself in their Case. But when the Gospel was propagated, many Nations, and amongst them the English, embraced the faith of Gods word, there were then held some Assemblies and Councils of Bishops, and other most illustrious Wise men, throughout the World, and likewise in England: and these being thoroughly instructed by Gods mercy, did now first of all, Impose a pecuniary Mulet upon Offenders; and without any Divine Offence, delegated the Office of exacting it to Magistrates, leave being first granted: Only on a Traitor and Deserter of his Lord (or King) they decreed, that this Milder punishment (by pecuniary Mulets) was not to be inflicted: because they thought just, that such a man was not at all to be spared; both because God would have Contemners of him unworthy of all mercy, and likewise because Christ did not at all compassionate them who put him to death,*

Proposit. 5. 4.
7.

death, but appointed the King to be honoured above all others; These therefore in many **Councils**, singulorum sce-
rum penas constituerunt, **ordained the punishments of**
every kind of offences, and committed them to writing.

From whence it is apparent, First, That all capital, corporal, and pecuniary Mulets and penalties for any civil or Ecclesiastical offences whatsoever, inflicted on the Subjects of this Realm, in that and all former ages since they embraced the Gospel, were only such as were particularly defined and prescribed by their Parliamentary Councils, and the Laws therein enacted, and not left arbitrary to the King, Judges, or Magistrates, as it appears by the forecited passages of *Beda*, *Malmesbury*, *Huntindon* and *Bromton* concerning King *Ethelbert's* Laws, part 2. p. 50. by the Laws of King *Ina*, Lex 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 21, 22, 25, 26, 27, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 46, 47, 48, 49, 54, 57, 58, 64, 73, 75, 76, 80. & more specially by the Laws of King *Alfred* himself, Lex 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38, 39, 40, 41, 42, 44, 45, 46, 48, 51. with the Laws of our other *Saxon* kings, prescribing particular fines, pecuniary, corporal and capital punishments for all sorts of offences and injuries, to avoid all arbitrary proceedings and censures in such Cases. 2ly. That no imprisonment Corporal, Capital, or pecuniary Mulets, or punishments whatsoever, justly might, or legally ought to be then inflicted upon any Malefactors or Trespassers whatsoever, but when, where, and for such offences only, as the known Parliamentary and common Laws then in force, particularly warranted and prescribed: which penalties and Laws could not be altered nor abrogated, but by Parliamentary Councils only. 3ly. That Common right and Justice, were then to be equally dispensed to all men, by our Kings, Judges, and other Magistrates, according to the Laws then established, in such sort as they would have

have them administred to themselves in the like Cases.

4ly. That wilfull Traitors and Deserrers of their lawfull Lords & Sovereigns, were not to be spared or pardoned by the Laws of God or Men, nor yet punished only with fines, but put to death without Mercy: Whence this Law was then enacted by king *Alfred* and his Wilemen. (i) *Lex 4. Si quis vel per se vel suscepam vel suspectam personam. De morte Regis tractet, utraque reus sit, et omnium quæ habebit; and if any fought or drew any weapon in the Kings house, and was apprehended, sit in arbitrio Regis, sit vita, sit mors, sicut ei condonare voluerit, Lex 8. because it might endanger the kings person.*

(i) *Chron. 10. Ian Bromton, col. 822, and L. m. b. d. c. r. chaion.*

This king *Alfred* made two special Laws for securing even Leets, and Inferiour Courts of Justice from armed violence and disturbances by fighting, which I shall recite.

(k) *Lex 41. Si quis coram Aldermanno Regis pugnet, In publico; emendet Weram & Witam sicut rectum sit, & supra hoc CXX s. ad Witam.*

(k) *Chron. 10. Ian Bromt. col. 825, & Lambardi Archai.*

Lex 42. Si quis Folemot id est populi placitum. Armozum exercitacione turbabit, emendet Aldermanno CXX s. Wisa, id est foris factura.

Spelmani Concil. p. 369. which somewhat deprives the sense of it in the translation, and makes it Lex 51.

What Fines and punishments then do they deserve, who not only fight before, and disturb Aldermen and Leets with their Armes, but even disturb, fight, and use their Armes against our Aldermen themselves, yea, all the Aldermen, Peers, and Great men of the Realm, assembled in the highest, greatest Parliamentary Councils, and over-awe, imprison, secure, seclude, and forcibly dissolve them at their pleasures? as some of late times have done, beyond all former Presidents.

During the reign of this Noble king *Alfred*, *Gythro the Dane*, (sometimes stiled *Godrin*, or *Guthurn*)

Anno 878.

(l) *Anno 878. with an invincible Army running over*

(l) *See Mar. westm. Florent.*

VVigorn. Simeon Dunelm. Bromt. Huntindon. Hoveden, Polychronicon, Fabian, Hollinshed, Speed, Asser. Eitelwerd, Fox and others, An. 878, 879.

all the Coasts of *England*, waſting the Country, and depopulating all ſacred places whereſoever he came, **quicquid in auro et argento rapere poteſt, ſplittibus erogabit**; and ſeiling upon **loca quaque munita**, forced King *Alfred* (being ſo diſtreſſed that he knew not what to do, nor whither to turn himſelf) to retire and ſave himſelf in the Iſle *Aethelingie*, for a ſeaſon; till recolleſting his ſcattered Subjects and Forces together, he vanquiſhed *Guthro* and his Army in a ſet battel at *Ethendune*, and then beſieging him and his remaining forces 15 dayes in a Caſtle, to which they fled, compelled them by Famine and the Sword, to make peace with him upon this Condition; **ut Regni et Regis infeſtationem perpetuo abjurarent**; That they ſhould perpetually abjure the infeſting of the King and Realm, and that they ſhould turn Chriſtians: which they accordingly performed, *Guthro*, with 30 of the choiceſt men in his Army being baptized at *Alve*, 15 dayes after, king *Alfred* being their Godfather, and giving him the name of *Aethelſtane*. After which *Alfred* feaſting him and his Captains 12 dayes in his Court, gave *Guthro* *Eastengland* to inhabit, wherein king *Edmund* reigned, to be held of and under him: Whereupon *Guthro* and his *Danes* An. 879. leaving *Cirenceſter* marched into the Eaſt parts of *England*, which he divided amongſt his *Souldiers*, who then began to inhabit it by *Alfreds* donation.

Upon this accord, or ſome time after, King *Alfr* and *Guthro*, by the Common conſent of their Great Councils and wiſe men, made and enacted certain civil and Eccleſiaſtical Laws, for the government of their People and Realms, recorded in *Bromton*, *Lambert*, and *Spelman*, where thoſe who pleaſe may peruſe them: the Prologue and 2 firſt Laws whereof, I ſhall only recite, as both pertinent to my purpoſe, and ſeaſonable for our times, much oppoſing the Magiſtrates coercive power in matters relating to God and Religion.

Propoſit. 5.

Hoc

(m) Hoc est consilium quod *Alfredus* Rex et *Godrinus* Rex eligerunt, et condixerunt, quando *Angli* et (m) *Chron. 10. Dan. ad pacem et concordiam plenè convenerunt*, *Brom. col. 819. et Sapientes*, et qui postea successerunt, sapiùs, Hoc est *Spelman. conc. p. 375. 376. 390, 391. Proposition 6.* assidue renovantes, in bonum semper adduxerunt.

Cap. 1. *Inprimis est, ut unum Deum diligere velint, et omni Paganismo sedulo renunciare: et instituerunt secularem iustitiam, pro eo quod sciebant, quod non poterant multos aliter castigare: plures vero Nolebant ad Dei cultum sicut deberent aliter Inclinari; et secularem emendationem instituerunt, communem Christo, et Regi, ubicunque Recusabitur Lex Dei iuste servari secundum dictionem Episcopi. Et hoc est primum edictum Ecclesie, Pax intra parietes suos, ut Regis Handgrith, semper inconvulsa permaneat.*

Cap. 2. *Siquis Christianitatem suam malè mutat, vel Paganismum veneretur verbis vel operibus, reddat sic Weram, sic Witam, sic Lashlyte, secundum quod factum sit: that is, Let him be fined, and ransomed according to the quality of his offence.*

This Noble King *Alfred* (who fought no lesse than 46 bloody Battels with the *Danes* by Land and Sea for his Countries Liberties) Although he was involved in perpetual Wars and Troubles with the *Danish* Invaders all his daies, as our Historians and this his (n) *Epitaph* Demonstrates,

(n) *Huntingd. Hist. l. 5. p. 352. Affer. Ælcerce-di Reg. Gest. Chron. 10. Er. col. 819. Camb. Britan. p. 224.*

*Nobilitas innata tibi, probitatis Honorem
Armipotens Alurede dedit, Probitasq; laborem;
Perpetuumque Labor nomen; cui mixta dolori
Gaudia semper erant, spes semper mixta timori;
Si modò victus erat, ad crastina bella parabat:
Si modò victor erat, ad crastina bella pavebat.
Cui vestes sudore jugi, cui sica cruore
Tincta jugi, quantum sit onus regnare probarunt.
Non fuit immensi quisquam per climata mundi*

Cui

*Cui tot in adversis vel respirare liceret.
Nec tamen aut ferro contritus ponere Ferrum
Aut Gladio potuit vitæ finire Labores.
Iam post transactos Regni vitæque Labores
Christus ei sit vera quies sceptrumque perenne.*

Yet (o) these things are remarkable in him. 1. That he most exactly and justly governed his people by and according to wig. *As. Men.* his and his Predecessors known Laws, in the midst of all An. 888, 898. *Æ. bel. Abbas* his Wars; not by the harsh Laws of Conquest and the de Gen. Reg. largest Sword. 2. That he advanced Learning and Ang. col. 355. all sorts of Learned Men, erecting Schools of Learn- Chron. 10. Brom. ing, and the famous University of Oxford; which he col. 814, 818. *Sim. Dunelm.* founded, or at least re-founded when decayed, in the heat of Hist. de Gest. all his Wars and Troubles. 3. That he was so far Reg. col. 132, from spoiling the Church and Churchmen, or any o- 133. *Wil. Mal.* ther his Subjects of their Lands, Tithes or Reve- de Gest. Reg. l. 25. c. 4. *In-* gulph. Hist. p. pious Pagan Danes, who destroyed all Churches, and 870, 171. *Hov.* Religious, as well as other Houses, where ever they Annal. pars 1. came; that he not only repaired, adorned, endow- p. 420, 421. *Ethelwerdi* ed many old decayed Churches and Monasteries, but Hist. l. 4. c. 3. likewise in the year 888, he built two new Mon- Polychron. Fab. *steries* of his own, at *Ethelingei* and *Shafftesbury*, and en- Caxton, Ho- dowed them with ample riches and possessions; and by lished, Graft- sundry Charters gave several Lands to the Churches of on, Speed in the life Alfred. of Durham, Worcester, and Canterbury. Moreover he Camd. Brit. p. not only duly paid Tithes and other Duties to the 378, 379. *Spel-* Church himself, but also by his Laws, enjoined all his man concil. p. Subjects under sundry mullets, justly to pay Tithes and 354 to 380. *Antiq. Eccl.* Churchels to their Priests and Ministers, with all other But. p. 43. Duties and Oblations belonging to the Church for the maintenance of the Ministers and Gods worship: together with Peterpence for the maintenance of the English School at Rome; prohibiting all men to invade the Churches Rights and Possessions under severe penalties. 4. That he equally divided all his annual Revenues in-

'to two equal parts: The first moiety was for Pious u-
 'ses, which he subdivided into three parts. *The*
 'first parcel he bestowed in Almes, to relieve the poor
 'both at home and in forein parts; *The second*, he be-
 'stowed on Religious Houses and Persons; *The third*,
 'he gave towards the maintenance of Schools, Scho-
 'lars, Doctors, and learned Men of all sorts, resort-
 'ing to and liberally rewarded by him according to
 'their merits. *The other* moiety was for civil uses,
 'which he likewise divided into 3 equal portions.
 'The first he gave unto his Souldiers; whom he divi-
 'ded into 3 Squadrons: The first Squadron, which
 'were Horse, waited one month on him at his Court,
 '(as his Life-guard) while the other two were im-
 'ployed in military expeditions in the Field: And
 'when their month expired, they all returned from
 'the wars, and then another new Company succeed-
 'ed them; And when their Month was ended, they
 'returning to their Houses, the other Company succeed-
 'ed them. And so they successively kept their monthly
 'courses during all his Reign, being one month in actu-
 'al service, and two months at home about their own
 'affairs. The second part he gave to his Workmen
 'and Artificers of all sorts, skilfull in all Worldly af-
 'fairs. The third part he gave to Strangers in Royal
 'Gifts and Presents, and that as well to the Rich as
 'Poor. Besides, he had a very great Care *Ne à Viceco-*
 '*mitibus et Ministris pauperes opprimere tur, et indebitis*
 '*exactionibus gravarentur*; That the poor people
 'should not be oppressed by Sheriffs and other Offi-
 'cers, nor burthened with unjust Exactions or Con-
 'tributions; Yea by his large Almes and Gifts he ent-
 'to Rome, he procured the English School to be freed
 'from all Taxes and Tributes by the Popes special
 'Bull. And we never read he imposed the least pub-
 'lick Tax upon his Subjects during all his wars and Ex-
 'igences, by his own Regal Power, upon any pretext

Propos. 11

ot publick Necessity, Danger, Defence or Safety of the Realm against the Numerous Invading, plundering Danish forces both by Sea and Land; Which our late and present Egyptian Tax-masters may do well to consider.

Anno 894.
Sim. Dunelm.
Hist. de Dunel.
Eccle. c. 13, 14.
col. 22, 23.

Propos. 10.

In the year of our Lord 894. this King *Alfred* and *Guthurn* the Dane, gave to the Church of *St. Cuthbert* in *Durham*, all the Lands between *Weor* and *Tyne*, for a perpetual Succession, free from all Custom and secular Services, with all Customs, *Saca*, and *Socua*, and infaught thereof unto belonging, with sundry other Privileges, which they ordained to be perpetually observed, *Non solum Anglorum sed et Danorum* consentiente et colaudante exercitu; by the consent and approbation of the *ARMY*, not only of the English but Danes also: Has *Leges & hac Statuta* (which proves that it was done by a Parliamentary Counsell then held in both their Armies,) *Quicumque quolibet nisu Infringere presumpserint, eos in perpetuum, nisi emendaverint, Gehenna Ignibus puniendos, anathematizando, Sententia omnium contradidit.*

(q) *Spelman*
concil. p. 381 to
387.

I pretermitt the (q) *Welsh Synods* held under the Bishops of *Landaff* during King *Alfred's* Reign (as Sir *Henry Spelman* conjectures, in whom the Reader may peruse them) wherein the Bishop of *Landaff* and his Clergy excommunicated some of their petty *Welsh Kings* for Murder, Perjury, violating the Churches Patrimony; and Injuring the Bishops family; who upon their Repentance and Reconciliation gave all of them some parcels of Land to the Church of *Landaff*. The rather because I conceive them fabulous, there being no such form of Excommunication used in those daies, as (r) Sir *Henry Spelman* proves, nor any such Episcopal Synods held in England under King *Alfred* himself.

(r) *Spelman*,
concil. p. 353,
379, 380.

‘barbarous Danes having throughout all England with fire and sword utterly wasted and destroyed all Cities, Towns, Castles, Monasteries, Churches, put most of the Bishops, Abbots, Clergy to the Sword, and almost quite deleted the knowledge of Learning and Religi-

‘out of the whole Nation ; insomuch that there
‘were very few spiritual persons on this side *Humber*,
‘who could either understand the Common prayers in the
‘*English* tongue, or translate any writing out of *latine* into
‘*English*; yea so few, that there was not so much as one
‘man on the South side of the *Thames* that could do it,
‘till King *Alfred* (after his Conquest of the Danes in the
‘latter part of his Reign) restored Learning and Religi-
‘on again by Degrees; ’ as this King himself records
in expresse terms, in his *Epistle to Bishop Wulfug*, by way
of Preface to his own Translation of *Gregories Pastorals*
into the *English Saxons* Language.

King *Alfred* deceasing , his Son *Edward* sur-
named the *Elder* , (s) succeeding his Father in the
year of Christ 901, thereupon Prince *Aethelwald* (s) *Ethel. Hist.*
his Uncles Son , aspiring to the Crown without the consent
of the King and Nobles of the Realm , seised upon Ox-
lie and *Wimburne* : whereupon King *Edward* marching
with his Armie against him to *Bath*, he fled from *Win-*
burne to the Danes in *Northumberland* for assistance :
who being glad thereof, they all make him King and
Prince over all their Kings and Captains : Whereupon
they invading *Essex* and *Mercia*, King *Ed.* raised a great
Army, chased them into *Northumberland*, and harrowed
the whole Country to the Lakes of *Northumberland*;
where the *Kentishmen* remaining (contrary to the Kings
Command , and Messengers sent to them) after the
retreat of the rest of the Army ; The *Danish* Army
upon this advantage setting upon them, they gallantly
defending themselves, slew their new King *Aethel-*
wald, with King *Eorik*, and sundry of their chief Com-
manders, and many of their Souldiers, though they
lost the field. This King and *Edelfled* his Sister, Queen
of *Mercians*, to prevent the frequent eruptions , plun-
ders the Danes , repaired many old ruined Towns, and
built many new ones in convenient places , which they re-
plenished with Souldiers , to protect the Inhabitants and re-

A nno 901.

(s) *Ethel. Hist.*

l. 49. c. 4. Mal.

de Gest. Reg. l.

2. c. 5. Marth.

westm. Florent.

wigorn. Sim.

Dunelm. Hux-

ting d. Hov.

Ethel. Bromt.

Polychon. E-

thelr. Abbas;

Fab. Holin-

shed, Grafton,

Speed in the

life of Ed. the

Elder and An.

901 to 925.

Proposit. 3.

pell the Enemies, whereby the Common people were so encouraged, and became such good Souldiers, that if they heard of the Enemies approach, they would fight and rout them, Rege eriam & Ducibus inconsultis in certamen ruerent, eis que semper numero & scientia præliandi præstant, ita hostes contemptui militibus, Regi risui erant, as *Malmesbury* writes. The Country people themselves fighting with the Danes at *Ligerune*, put them to flight, recovered all the prey they had taken, and likewise the Danes Horses, as they likewise did in some other parts. Amongst other places, this King repaired the walls of *Colchester*, put warlike men in it, & certum eis stipendium assignavit; and assigned them a certain stipend, as *Mat. Westm.* records, neither he, nor other our Historians making mention of assigned wages, to any other Garrisons or Souldiers in that age; At last the Danes in most places throughout England, perceiving King *Edwards* power and wisdom, submitted themselves unto him, elected him for their King and Patron, and swore homage and fealty to him; as likewise did the Kings of Scotland, Northumberland, and Wales.

An. 905.
[t] *Vvil.*
Malmesb. de
Gest. Reg.
l. 2. c. 5. p.
47. & 48.
Mat. Westm.
An. 905. An-
tiq. Eccles.
Brit. p. 45.
Gervasius Do-
robern. Act.
Pont. Cant. col.
1644. Godwin
in the life of
Plegmund,
Spelm. Concil.
p. 387, 388.
Ingulphi Hist.
p. 377.

Proposit. 5.

In the year of Grace 905. This [t] King *Edward* assembled a Synod of the Senators of the English Nation, as *Malmesbury*, or a great Council of Bishops, Abbots, and faithfull people (as *Matthew Westminster*, and others stile it) in the Province of the *Gewisii*; which by reason of the Enemies incursions had been destitute of a Bishop for 7 years space. Whereupon the King and Bishops in this Council, taking good advice, made this wholesome constitution; That instead of 2 Bishops, whereof one had his See at *Winchester*, the other at *Schireburn*, 5 Bishops should be created; ne Grex Domini, absque cura Pastoralis, luporum incursionibus quateretur: Whereupon they in this Council elected 5 Bishops; to wit *Frithstan*, for *Winchester*; *Athelin* for *Schireburn*; *Ædulse* for *Wells*; *Werstan* for *Crideton*, and *Herstan* for *Cornwal*; assigning them their several Sees and Dioceses; and

two

two other Bishops for Dorchester and Cirencester, all consecrated by Archbishop Plegmond at Canterbury in one day. Wil. of Malmesb. and some others write, that this Council was summoned upon the Letter of Pope Formosus, who excommunicated king Edward with all his Subjects, for suffering the Bishopricks of Winton and Scireburn to be void for 7 years space together: But this must needs be a great mistake, since Pope Formosus was dead ten years before this Council, and before these Bishopricks became void, and his pretended Epistle to the Bishops of England makes no mention at all of the king, as Sir Henry Spelman well observes.

Propos. 5, 6.

In the year 906. (u) king Edward made a Peace and firm agreement with the Danes of Northumberland, and East-England, at Intingford, when (as some think) he and Guthurn the Dane reconfirmed the Civil and Ecclesiastical Laws formerly made and ratified by his Father King Alfred and Guthurn. But Guthurn dying in the year 890, full eleven years before this Edward was king, could not possibly ratifie these Laws at the time of this Accord, being 16 years after his decease, as the Title and Prologue to those Laws in Mr. Lambard and Spelman erroneously affirm; wherefore, I conceive, that this confirmation of these Laws was rather made in the year 921. when all our Historians record; that after king Edward (Anno 910. had sent an army into Northumberland, against the perfidious and rebellious Danes, slain and taken many of them Prisoners, and miserably wasted their Country for 4 days space, for breaking their former Agreement with him: after his Sister Ægelfled, Anno 919, had forced the Danes at York to agree, and swear, that they would submit to her and her Brothers pleasure in all things; and after Edward had vanquished the other Danes, Scotch and Welsh in many Battles; thereupon, in the year 921. the king of Scots, with all his Nation, Stredded king of Wales, with all his people, et Reginaldus (or Reginaldus) Reginald King of the Danes, with all the English and Danes inhabiting Northumberland,

An. 906, 921.
[u] Lambardi
Archaion. Spel.
concil. p. 390,
to 400. Mat.
Westminster,
Wigorn. Huut.
Hoveden, Sim.
Dunelm. Brom.
and others. An.
Dom. 906, 910,
918, 921.

Propos. 5.

land (of which Reginald then was King) coming to King Edward, An. 921. submitted themselves unto him, elected him for their Father and Lord, and made a firm Covenant with him; And therefore I conjecture that Guthurmus in the Title and Preface of these Laws, is either mistaken, or else mis-written for Reginaldus; then King of these Northern Danes, who had no King in the year 906, that I can read of in our Historians.

(x) De Genealogia Reg. Ang. col. 358.

(x) Abbot Eshelred, gives this Encomium of this Kings transcendent modesty and justice, Rex Edwardus, *vir mansuetus et pius, omnibus amabilis et affabilis, adeo omnium in se provocabat affectum, ut Scotti, Cumbri, Walenses, Northumbri, et qui remanserant Daci, eum non tam in Dominum ac Regem, quam in Patrem eum omni devotione eligerent. Tanta dehinc Modestia regebat Subditos, tanta Justitia inter proximum et proximum judicabat, ut contra veritatem non dico nihil velle, sed nec posse videretur; unde fertur quibusdam iratus dixisse; dico vobis, si possem vicem vobis redidissem, Quid non posset Rex in Subditos, Dominus in Servos, Potens in infirmos, Dux in milites? Sed quicquid non dictabat æquitas, quicquid veritati repugnabat, quicquid non permittebat Justitia, quicquid Regiam mansuetudinem non decebat, Sibi credebat impossibile.*

I wish all our modern domineering Grandees would imitate his presidential Royal Example. Yet

(y) Huntingd. Hist. l. 5. p. 354
Hov. An. pars posterior. p. 422.
Mat. VVestm. Vigorn. Sim. Dunel. Anno 920. Chron. Io. Bromton col. 835.

I read of one injurious Act done by him, (y) After the decease of his renowned Sister Elfreda, Queen of Mercia, Anno 920. he dis-inherited her only Daughter Alfwen (or Elwyn, his own Niece) of the Dominion of all Mercia, who held that Kingdom after her Mother, seising and Garrisoning Tamesworth, and Nottingham first, and then disseising her of all Mercia, uniting it to his own Realms, and removing her thence into West-Sax. *Magis curans an utiliter vel inutiliter, Quam an juste vel injuste.* Writes Henry Huntingdon. which

Propos. 4.

which innoxious action, *Si violanda sit fides regni causa violanda*, will not excuse.

The Chronicle of *Bromton* records, that King *Edward* as he enlarged the bounds of his Kingdom (2) col. 832, more than his Father; So *Leges condidit*, he likewise 835, 836, 837. made Laws to govern it: which are there registered to Posterity in two parcels, as made at several times, but in what year of his Reign this was, it informs us not, The first of these Laws, declaring his zeal to publick Justice, according to the Laws then in Force, is this.

Edwardus Rex mandat et precipit omnibus Praefectis et Amicis suis, ut Justa judicia judicent, quam rectiora possint, Et in iudiciali Libro stant; nec parcant nec dissimulent pro aliquâ Re Populi Rectum et jus publicum recitare; et unumquodque placitum terminum habeat quando peragatur, quod tunc recitabitur.

The first Chapter of the second part of his Laws intimates, that they were made by his *Wise men assembled in a Parliamentary Council at Exeter*; witness the contents thereof.

Edwardus Rex admonuit Omnes Sapientes quando fuerunt Exonia, ut investigarent simul et quærerent; quomodo pax eorum melior esse possit quam antea fuit; quia visum est ei, quod hoc impletum sit aliter quam deceret, et quam antea præcepisset, Inquisivit itaque qui ad emendationem velint redire; et in societate permanere quâ ipse sit, et amare quod amat, et nolle quod nolit, in Mari & in Terrâ. Hoc est tunc, Ne Quisquam rectum difforceat alicui. Siquis hoc faciat, emendet sicut supra dictum est (In his first Laws then either made or rehearsed) prima vice 30 s. secundâ similiter, ad tertiam vicem 120 s. Regi. Proposit. 32.

The last Chapter, being the VIII in *Bromtons* translation, (but the XI, in the *Saxon Copy*) is this. *Volo ut omnis Propositus habeat Gemotum (an Hundred Court) semper ad quatuor hebdomadas; et efficiat*

ut omnis homo rectum habeat, et omne placitum capiat terminum quando perveniat ad finem; Siquis hoc excipiat, emendet, sicut ante dictum est.

Anno 924. King Edward deceasing, (a) *Ethelstan* his eldest
 (a) *Wil. Mal.* Son (designed by his Fathers Will to succeed him) was
de Gest. Reg. elected King at Winchester in the year 924. *Spagno*
l. 2. c. 6. Mat. *Optimatum consensu et omnium favore;* and solemn-
VVestm. VVig. ly Crowned at Kingston, only one *Alfred*, and some
 An. 925 to 940, *Hunting.* factious ones opposed his election, pretending he was
Hist. l. 5. p. 334. illegitimate and born of a Concubine; whereupon they
Hov. Annal. would have set up his Brother *Edwin* being legitimate
pars prior, p. and next heir as they pretended; whom the Generali-
 422. *Ing. Hist.* ty of the Nobles rejected, nondum ad regnandum prop-
 p. 877, 878. *Chron. Johan.* ter teneros Annos Idoneo *Ethelstan* after his Coro-
Brom. col. 838. nation knowing his Brother to be born in lawfull Ma-
Sim. Dunelm. trimony, and fearing *Ne per ipsum quandoq, Regni solio*
Hist. Reg. Ang. privaretur, lest he should be some time or other
 col. 134. to 154. *Ethelm. Hist.* deprived of his kingdom by him, hated him extreme-
 l. 4. c. 5. *Aetr.* ly; and at the sollicitation of some Parasites, where-
Abbas de Ge- of his Cup-bearer was the chief, to be rid of him and
neologia Reg. this his fear, he caused young *Edwin*, attended only
Ang. Pol. l. 6. c. 6. *Henry de* with one Page, to be put into an old broken Boat in
Knigheton, de the midst of the Sea, without Sail, Oare, or Pilate, that
En. Ang. l. 1. c. 5. *Speeds Hist.* so his death might be imputed to the waves; out off
 p. 393, 396. *Fab. Holin-* which Boat the young Prince in discontent cast himself
shed, Grafion, head-long into the Sea (or rather the Page threw
Caxton in his him head-long over-board,) and so was he drowned:
life. But the Page recovering his body, by rowing with his
 hands and feet, brought it to Land where it was in-
 terred. The King was hereat so troubed with a real
 (or feigned) contrition for this barbarous bloody fact,
 that he did seven years voluntary penance for this his fra-
 tricide, and adjudged his Cup-bearer to a cruel death, who
 gave him this ill advice; and to pacifie his Brothers
 Ghost and his own Conscience, built two new Mo-
 nasteries at Middleton and Michelresse, and there

Propos. 2.

was

was scarce any old Monastery in *England* which he adorned not either with buildings or Ornaments; or Books or Lands, to expiate this his bloody crime.

In this king *Aethelstans* reign In the year '927. ' There were fiery Beams and Meteors ' seen throughout all the Northern parts of *Eng-* ' *land*; soon after which *Athelstan* resolved utterly to ' extirpate the perfidious Nation of the *Danes*, and ' treacherous *Scots*, which had violated their Agree- ' ment made with his Father, whereupon he marched ' with a great Army by Land, and Navy by Sea into ' *Northumberland* and *Scotland*, wasted and harrowed ' the Country without resistance, forced *Guthfrith* ' King of *Northumberland* out of his kingdom, uniting ' it to his own Realm, vanquished and overcame ' *Howel* king of *Wales*, *Constantine* king of *Scots*, *Anlase* ' the *Dane*, and others in a set battel, drove them out of ' their Realms, and forced them to submit to him: ' Who upon their submission, knowing the chance of ' war to be variable, and pitying the Cases of these ' down-cast Princes, restored them presently to their ' former estates, with this Princely Speech: **That it was more honour to make a King, than to be a King:** ' yet these petty Kings, Princes rebelling afterwards, & ' siding with *Anlase* against him, were all routed by *A-* ' *thelstane*, King *Constantine* of *Scotland*, with five more ' of these Kings, 12 Dukes, and most of their Army slain ' in one battel, principally by the valor of *Turketulus*, ' and the *Londoners*, An. 837: Whereupon the petty ' Kings of *Wales*, contracted to pay him a yearly tribute ' of 20 pound weight of Gold, and 300 of Silver, and ' 25000 head of Cattel, with a certain number of ' Hawks and Hounds, which no King of *England* ever ' exacted or received from them before.

[b] *William* of *Malmesbury* (who exceeds in his (b) *De Gestis* ' praises) writes, that it was truly reported of him against *Reg. l. 2. c. 6,* ' the *Engliss*, *Quod nemo Legalis vel literarius rem-* ' p. 49.

(c) *Ingulphus*
Hist. p. 817.

publicam administraverit; I hat no king governed the Commonwealth more legally or learnedly than he, being as (c) *Ingulphus* records, guided and directed by *Turketulus*, his Chancellor, a man of great integrity, honesty and piety, of profound judgement, whose decrees upon debate were irrefragable. This king *Aethelstan*, for the better administration of Justice, enacted sundry excellent, civil, and ecclesiastical Laws, recorded in *Bromt. Lamb. & Spelm.*

Anno 928.

[d] *Chron. Jo.*

Bromt. col.

840, to 856.

Spelman. Con.

vil. p. 396,

397, 405, 406.

Lambardi Ar-
chaion.

Proposit. 5. 6.

The first of these his Laws, were made and enacted in the famous [d] Council of *Grately*, about the year 928, in which the king himself, *Wulfhelm* Archbishop of *Cantebury*, and the rest of the Bishops, and all the Nobles and Wisemen which King *Ethelstan* could assemble, were present, who all ordained and confirmed these Laws in this great Council, as the last Chapter thereof informs us in these words.

Totum hoc institutum est et confirmatum, In magno Synodo apud Grateleham, cui Archiepiscopus Wulfelmus interfuit et omnes Optimates, et Sapientes, quos Aethelstanus Rex potuit Congregare: Ut, Cum Optimates et Sapientes ab Aethelstano evocati frequentissimum, as another Copy renders it: which proves, that all the Members of this Council were summoned to it by this kings writ, and not elected by the peoples suffrages. And although the Archbishops, Bishops, and other Clergy men were the chief advisers of the Ecclesiastical Laws, made in this Council, as this Prologue to them attests: Ego Aethelstanus Rex ex prudenti Wulfelmx Archiepiscopi, aliorumque Episcoporum et Servorum Dei consilio mando; yet they were all enacted and confirmed by all the Nobles and Wisemen in the Council, as the premises evidence. In this Council, the king commanded by his Laws, all his Officers, that they should demand and exact from his Subjects such things and duties only as they might justly and lawfully receive, adding this memorable reason for it; 'Nunquam enim erit populo bene consultum, nec digne Deo conservabitur

Proposit. 1.

‘*abitur, ubi Lucrum impium et magis falsum disti-*
 ‘*gitur, Ideo debent omnes amici Dei quod iniquum*
 ‘*est, enervare, quod iustum est elevare; non pati ut*
 ‘*propter falsum, et pecunia questum, se forisfaciant*
 ‘*homines, erga vere sapientem Deum cui displicet*
 ‘*omnis injustitia:* Which I wish all our unrighteous
 covetous Tax-masters, Excisers and Exacters would
 now seriously consider: After which it follows,
 ‘*Christianis autem omnibus necessarium est, ut re-*
 ‘*ctum diligant, ut iniqua condemnent, et saltem sa-*
 ‘*cris Ordinibus erecti iustum semper erigant et pra-*
 ‘*va deponant:* Hinc debent Episcopi cum sæculi Judi-
 ‘*cibus interesse Judiciis, ne permittant, si possint, ut*
 ‘*illinc aliqua pravitatum germina pullulaverint.* And
 to avoid all arbitrary proceedings, oppressions, and In-
 justice in all things, this Council by positive Laws as-
 ‘*certaines all fines, amerciaments, imprisonments, and cor-*
 ‘*poral punishments for criminal offences, from which the*
 ‘*Judges might not vary.* And withall defines, what
 ‘*Armes every man should find in those times of war, against*
 ‘*the Danes and other Enemies by his positive Law, Lex 21.*
 (Sax. 16.) *Omnis homo habebit duos homines cum bo-* *Proposit. 13.*
nis equis de omni Carucâ.

King Ethelstane after this Council at Grately (what
 years is not expressed) assembled several other Parlia- *Proposit. 5.*
 mentary Councils at Exeter, Fevresham, and Thunder-
 feld; wherein he and his Wisemen, by common consent,
 confirmed the Laws made at Grately, altering some of
 them in certain particulars, and adding some new Laws un-
 to them, as you may read at large in Bromton, and as
 the first Chapter, and this Prologue to those Laws af-
 fure us.

[e] ‘*Hæc sunt Judicia quæ Sapientes Exonia confi-*
 ‘*lio Adelstani Regis instituerunt, & iterum apud Fe-* [e] *Chron. Joh.*
 ‘*vresham, et tertia vice apud Thundresfeldiam ubi hoc de-* *Bromt. col.*
 ‘*stitutum simul et confirmatum est;* et hoc imprimis *850.*
 ‘*est, ut observentur omnia Judicia quæ apud Grateley* *Proposit. 5, 6.*

am imposita fuerint, præter mercatum Civitatis, et Diei Dominica.

The Cause of making these new Laws, and confirming the old, was, *a Complaint to the King in the Council at Exeter, that the Peace and Laws made at Grateley, were not so well kept as they should be; and that Thieves and Malefactors abounded; as this Prologue manifests, (f) 'Ego Adelstanus Rex notifico vobis, sicut dictum est Michi, quod pax nostra pejus observata est quam Michi placet, vel apud Grateleyam fuerit institutum: Et Sapientes Michi dicunt, quod hoc diutius pertuli quàm debueram; Nunc inveni cum illis Sapientibus, qui apud Exoniam fuerint mecum in sancto Natali Domini, quod parati sunt omnino, quando velim, cum seipsis & uxoribus, & pecunia, & omni re suâ ire quo tunc voluero, nisi malefactorum res requiescant eo tenore quo nunquam deinceps in patriam istam redeant, &c.*

(f) Chron.
Joh. Brom.col.
850.

Proposit. 5, 6.

In the Council of Fevresham in Kent, the King by some of his Wise-Counsellors sent thither to it, propounded some things for the weal and peace of the Country, together with his pardon for fore-past offences; which they upon debate assenting to, and drawing up into sundry heads, returned to the King for his Royal assent, with this memorable Gratulatory Prologue; which most truly representing unto us the proceedings in the great Councils of that Age, I thought meet entirely to transcribe.

[g] Chronicon
Joh. Bromt.
col. 850, 851.

(g) • Karissime, Episcopi tui de Kent, & omnis Kentenses, Thayni, Comites, & Villani, tibi Domino dilectissimo suo gratias agunt, quod nobis de pace nostra præcipere voluisti, & de commodo nostro perquirere & consulere, quia magnum opus est inde nobis divitiis & Egenis. Et hoc incepimus quanta diligentia potuimus, consilio horum Sapientum quos ad nos misisti, unde Karissime Domine, primum est, de nostra decem, ad quam valdè cupidi sumus & voluntarii, & tibi supplices

plices gratias agimus admonitionis tuæ. Secundum
 est, de pace nostrâ quam omnis populus teneri desi-
 derat, sicut apud *Grateleyam* Sapientes tui posuerunt,
 et sicut etiam nunc dictum est in Concilio apud *Fef-
 resham*. Tertium est, quod gratiant omnes miseri-
 corditur Hermerum dominum suum, de dono quod
 forisfactis hominibus concessisti; hoc est, quod pardo-
 nat ut omnibus forisfactura de quocunque furto quod
 ante Concilium de *Fefresham* factum fuit, eo tenore
 quo semper deinceps ab omni malo quiescant, et om-
 ne latrocinium confiteantur, et emendent hinc ad
 Augustum. Quartum, Ne aliquis recipiat hominem al-
 terius sine licentia ipsius, cui prius *folgaruit*, nec in-
 tra marcam, nec extra, et etiam ne Dominus libero
 homini *blasocnam* interdicat, si rectè custodierit eum
 Quintum, Qui ex hoc discedat sit dignus eorum quæ
 in scripto pacis habentur, quod apud *Grateleyam* insti-
 tutum est. Sextum, si aliquis homo sit adeo dives,
 vel tantæ parentelæ quod castigari non possit, vel il-
 lud cessare nolit, ut efficias qualiter abstrahatur in a-
 liam partem regni tui, sicut dictum est in occiduis
 partibus, sit alterutrum quod sit, sit Comitum, sit
 Villanorum. Septimum est, ut omnis homo teneat
 homines suos in fidejussione suâ, contra omne fur-
 tum. Si tunc sit aliquis qui tot homines habeat quod
 non sufficiat omnes custodire, præpositum talem præ-
 ponat sibi singulis villis qui credibilis ei sit, & qui
 concedat hominibus. Et si præpositis alicui eorum
 hominum concedere non audeat, inveniat XII ple-
 gios cognationis suæ qui ei stent in fidejussione, Et
 si Dominus vel præpositus, vel aliquis hoc infringat,
 vel abhinc exeat, sit dignus eorum, quæ apud *Gra-
 teleyam* dicta sunt, nisi Regi magis placeat alia justitia.
 Octavum, Quod omnibus placuit de scutorum opere, sicut
 dixisti. Precamur Domine misericordiam tuam, sit
 in hoc, sit in alterutrum, vel nimis, vel minus, ut hoc re-
 mendere jubeas juxta velle tuum. Et nos, devotè parati
 sumus.

sumus ad omnia quæ nobis præcipere velis, quæ unquam aliquatenus implere valeamus.

After this there was another kind of *Parliamentary Council* held at *London*, & not long after that, another at *Thithamberig*, wherein many consultations were had, & propositions made for suppression & punishment of *Theeves* and keeping of the peace, which the *Justices*, *Commissioners*, and others appointed to keep the peace, and to take sureties of all men to the keeping thereof, concluded upon at *London*, and after submitted to the *Kings Council*, to enlarge or alter, as he should see cause; Who thereupon made some alteration and mitigation at *Thithamberig*, of what the King thought over-severe in putting to death those who were above 12 years of Age, for 12d. value, as these passages attest, declaring the proceedings of that *Parliamentary Council*.

(k) *Chron.*

Ioh Bromt. col.

852, 855, 856.

(h) 'Hoc consultum est, quod Episcopi et præpositi qui Londoniensi Curia pertinent, edixerunt, & iurejurando confirmaverunt in suo Frigidulo; Comites & villani in adjectione iudiciorum, quæ apud *Grateleyam* & *Exoniam* instituta sunt, & iterum apud *Thundresfeldam*.

Cap. 1. 'Et est imprimis hæc, non parcatur alicui latroni supra 12 Annos et supra 12 d. de quo verè fuerit inquisitum quod reus sit, quin occidatur, & capiat'ur omne quod habet, &c.

Cap. 14. 'Nec tacendum est vel prætereundum, si dominus noster vel præpositorum nostrorum aliquis ullum Augmentum excogitare possit, ad nostrum Frigidulum; ut hoc grateranter excipiamus, sicut nobis omnibus convenit, & nostrum necesse sit, & in Deo confidimus, et regni nostri Domino.

Cap. 15. 'Si totum hoc ita complere volumus, res totius populi meliorabitur contra fures quam antea fuit, & si remissius egerimus de pace & vadiis quæ simul dedimus, & quam Rex nobis præcipit, timere possumus, vel magis scire quod fures isti regnabunt,

plus

plus quam antè fecerunt, si fidem teneamus, et pacem sicut domino nostro placeat, quia magnum opus est ut insistamus et peragamus quod ipse velit, et si amplius præcipiat cum omni jocunditate et devotione parati sumus.

Cap. 17. Item quod Sapientes omnes dederunt vadium suum, insimul Archiepiscopo apud Thundresfeldam quando Ealpheagus, Scyb, et Brithnodus Odonis filius venerunt ad Concilium ex ore Regis, ut omnis prepositus vadium capiat in suo comitatu de pace servandâ sicut Adelstanus Rex apud Fefresham, et quartâ vice apud Thundresfeldam coram Archiepiscopo, et Episcopis, et Sapientibus, quas ipse Rex nominavit qui interfuerunt et iudicia conservaverunt Quæ in hoc Concilio fuerunt instituta, &c.

Cap. 18. Item quod Adelstanus Rex præcepit Episcopis suis et prepositis omnibus in toto Regno suo, ut pacem ita custodiant sicut recitavit, et Sapientes sui.

Cap. 19. Item Rex dixit nunc iterum apud Thitlanbirig Sapientibus suis, et præcepit ostendi Archiepiscopo et cæteris Episcopis, quod ei miserabile videtur, quod aliquis tam juvenis occidatur, vel pro tam parvâ re sicut innotuit ei quod ubique fiebat; dixit itaque, Quod ei videbatur et eis cum quibus hoc egerat, ne aliquis occidatur junior quam quindecim Annorum, nisi se defendere velit, vel aufugere, et in manus ire velit, ut tunc deducatur, sit major sit minor, qualiscunque sit, si se dederit ponatur in Carcere, sicut apud Greateleyam dictum est, et per idem redimatur &c. Præcepit Rex ne aliquis occidatur pro minori pretio quam 12 d. nisi fugiat vel repugnet, ne dubitetur tunc licet minus. Si hæc ita conservemus, in Domino Deo confidimus quod pax nostra melior erit quam antea fuit.

As these passages demonstrate the proceedings of the Parliamentary Councils in that Age, (unknown to most, for which end I have transcribed them at large)

Propos. 2, 4,
5, 6.

to they clearly prove, that Theeves or Felons (much lesse other *English* Freeman) could not be imprisoned, killed, put to death, fined or ransomed, but by special Acts, and Laws made in General Parliamentary Councils, nor any Laws made, enacted, or altered in such Councils, but by the Kings Royal Assent thereto, who then frequently summoned them, and all the Members of them, by writ and nomination, without the Peoples Election.

Anno 932.

(i) See the History of Guy of Warwick.

Propos. 5, 6,
9, 10.

Henry de Knyghton, de Eventibus Anglia l. i. c. 5. an [i] some other fabulous Authors relate, that in the eighth year of King *Aethelstans* reign, *Olaus* King of Denmark, *Golanus* King of Norway, and the Duke of Normandy, with 8 Dukes and 5 hundred thousand Soldiers, arrived in England, bringing with them out of Africa, A Giant called *Colybrand*, the strongest and most famous at that time throughout the World; Whereupon King *Aethelstan* hearing of their coming, *Congregavit Magnates*, assembled his Noblemen at Winchester, to advice with them, how they might resist the Enemies and fight with them in Battel; That whiles king *Aethelstan* vacaret tali Concilio et congregatione populi sui in Wintonia, the foresaid kings came upon him with their Army, and besieged him *Cum Baronibus* with his Barons, in that City for two years space. Neither durst the *English* fight with them by reason of their multitude and Power. In the mean time they made this Agreement, that king *Aethelstan*, should find out one Champion to fight a single Duel with *Colybrand*; that in all future times the Realm of England should be held of the King of Denmark under a Tribute, and if *Colybrand* were conquered by *Aethelstans* Champion, then *Olaus* should forfeit and disclaim the Realm of England for him and his Heirs for ever, and no King of Denmark should afterwards lay claim to the Realm of England, nor yet molest it. That the king in near one whole years space, could not find

OUT

ont a Champion to encounter *Colybrand*; whereupon he and his Nobles were very much troubled. At last, God by an Angel from Heaven, directed the King to find out *Guy of Warwick*, comming thither as a Pilgrim, who undertook to encounter *Colybrand*; and after a sharp battel with him in the view of both kings and their Armies, cut off one of his hands, and after that his head. 'By which Victory the whole Land of England enjoyed the unviolated privilege of rest and Liberty from the Danish king, untill *Cnute* king of *Denmark* gained the Realm of *England* from *Edmund Ironside*.' But this Relation being contrary to the truth of History, and the Stream of all our *Historiographers*, I shall repute it meerly fabulous; though I could not well omit it, for that Relation it hath to this my Theame and precedent Propositions.

(k) *William of Malmesbury* and others out of him record, that *Elfrid* (a Noble man) who opposed *Ethel-*
stans Title to the Crown, though in vain, intended to
 have seized on him at *Winchester*, and put out his eyes;
 but his Treason being discovered before it came to the
 Accomplishment, he was taken and sent to *Rome* to
 purge himself by Oath; where before the Altar of
St. Peter and *Pope Iohn the 10th*, he abjured the fact,
 and thereupon fell suddainly down dead to the Earth,
 and being carried from before the Altar by his Ser-
 vants to the *English School*, he there died within three
 daies after. Upon this the Pope sent to the king, to
 advise what he should do with him, and whether he should
 allow him burial with other Christian Corps? 'The king
 hereupon assembling a Council of his Nobles, to ad-
 vise about it; *Optimates Regionis*, the Nobles of the
 Realm with a great Company of *Elfrids* kindred, ear-
 nestly requested of the King with great humility, that
 his body might be committed to Christian Burial'.
 The King consenting to their Request, acquainted the

(k) *De Gest. Reg. Ang. l. 2. c. 6. p. 52. Spelman. conc. p. 407, 408. Speeds Hist. p. 396. See Ingulph. Hist. p. 378.*

Proposit. 3, 4, 5, 6, 10.

Propos. 2, 4,
5, 6, 10.

Pope therewith; who granted him Christian Burial, though unworthy. Hereupon the Nobles adjudged all his Lands and Possessions great and small, to the King; who by their consent, granted and confirmed them all to the Ab-
by of Malmesbury by his Charter, wherein he recites; *Sci-
ant Sapientes regionis Nostræ, non has præfatas terras
me injustè Rapuisse, Rapinamq; Deo Dedicasse, sed
sic eas accepi Quemadmodum judicaverunt omnes
Optimates Regni Anglorum. Insuper et Apostolicus
Papa Romana Ecclesiæ Johannes; After which, reci-
ting the Treachery, perjury and death of Elfred, with his
Condescension to his Nobles and friends request aforesaid,*
he concludes thus. ‘*Et sic Adjudicata est mihi tota
‘ possessio ejus in magnis et modicis. Sed et hæc
‘ Apicibus prænotamus literarum, ne quamdiu Chri-
‘ stianitas regnat, aboleatur; unde mihi præfata pos-
‘ sessio, quam Deo et Sancto Petro dedi, donatur; nec
‘ Justius novi quam Deo et sancto Petro hanc possessio-
‘ nem dare, qui æmulum meum in conspectu omnium
‘ cadere fecerunt, et mihi prosperitatem Regni largiti
‘ sunt.*

– To which Malmesbury subjoyns. *In his Verbis Regis sa-
pientiam, et pietatem ejus in Dei rebus suspicere par est:
Sapientiam, eo quod animadverterat, juvenis presertim, non
esse Dei Gratosum de Rapinâ Holocaustum. Pietatem,
eo quod Alumnus ultione divinâ collatum, Deo potissimum
non ingratus rependeret.*

From whence I shall only observe, that Elfrid be-
ing a Peer of the Realm, dying perjured as aforesaid,
was adjudged to forfeir all his Lands for Treason after
his death only by his Peers in a Parliamentary Council,
and that if the king had seized on them without their
judgement, it had been an unjust Rapine, by his own
Confession; but being legally confiscated to him by
their Judgement, it was no Rapine, but Justice for him
to seize, and Piety to dispose of them at his pleasure
to this Church. What Churches and Monasteries

he built and repaired throughout the Realm; What Lands he restored to St. Augustines Church at Canterbury on the day of his Coronation (by the Assent of his Bishops and Nobles) though long detained from it; and how he gave the Lands of Folcastan, in Kent, elcheated by the Danes destruction of the Nunnery there, to Christchurch in Canterbury, you may read in the (1) Marginal Authors.

(1) Ingulphus Historia. p. 878. Chronica Vill. Thorn, col. 1778. Evidentie Ecclesie Christi, Cant. col. 2220. &c.

(m) William of Malmesbury informs us, that Baldwin Earl of Flanders, sent Embassadour by Hugh King of France, to King Ethelstan, to demand his Sister for his Wife, brought over with him divers rich presents, and Reliques (Amongst others, the Sword of Constantine the Great, the Lance of Charls the Great, and one of the 4 Nails that pierced our Saviours body, set in plates of Gold; A piece of our Saviours Cross inclosed in a Chrystal Case &c. all which he presented to the King and Lady) cum in Conventu Procerum, apud Abindoniurn proci postulata exhibuisset: Which intimates, that this King consulted with an assembly of his Nobles about his Sisters Marriage to the King of France, as a mater of Parliamentary consideration.

(m) de Gest: R. Ang. l. 2. c. 6. p. 51. See Ingulph. Hist. p. 877, 878.

Ingulphus Hist. p. 876, 877, 878. records, that Turketulus was his Chancellor and chief Counsellour, who affected not Honors and Riches, refused many Bishopricks offered him by the King, Tanquam iendiculas Satana ad animas evercendas; and would never accept of any Bishoprick all his life, being Content only with his own Lands and Wages: That all his Decrees were so just and legal, that they remained irrevocable, when once made: That he was a great Soldier, and fought most valiantly against the Danes, and often gloried and said, He was most happy in this, that he had never murdered nor maimed any one; Cum pugnare pro patria, & maxime contra Paganos licite quisque possit; He esteeming the slaughter of such Pagan Enemies in defence of his Country, lawfull, and no murder nor main.

Anno 940. King *Æthelstan*, deceasing without issue, his Brother *Edmund* succeeded him An. 940. who upon the false suggestions of some of his Souldiers and Conrriers, deprived *Dunstan*, whom he had made his Chancellor, pars prior, *lour*, and one of his privy Council, yea ranked amongst the Royal Palatines and Princes of his Realm) of all his dignities and Offices. The very next day after, being like to break his Neck as he rod a hunting over a steep Rock, had not his horse miraculously stopped at the Rocks brink in his full carier, he immediatly sent for *Dunstan*, and to repair the injury done him, rod presently to *Glastonbury*, and made him Abbot thereof. Presently after, *Anlaffe* King of *Norway*, whom *Æthelstan* had driven out of the Kingdom of *Northumberland*, came with a great Navy and Army to *York*, being called in by the perfidious and rebellious *Northumberlanders*, who instantly revolted to him, and elected him for the r King. Whereupon he marching Southward with a puissant Army, purposing to subjugate the Realm of England to himself, King *Edmund* gathering his forces together, encountred him, and after a bloody battel fought a whole day between them at *Leicester*, with great loss on both sides, *Odo* Archbishop of *Canterbury* and *Welfstan* Archbishop of *York* perceiving the danger on both parts, and the Destruction of the Realm, made this Agreement between them; that *Anlaffe* should quietly enjoy the whole Northeast part of England, lying North of *Watlingstreet*; and *Edmund* all the Southern part thereof, during their joynt Lives, and the Survivor of them enjoy the whole Realm after the others decease: But *Anlaffe* soon after wasting the Church of *St. Balter*, and burning *Twinagham* with fire, was presently seised on by Gods avenging Judgement, and miserably ended his life.

Proposit. 4. 8. About the year 940. (o) *Hoel Dha*, Prince of all Wales, sent for six Laymen, eminent for authority and knowledge, out of every *Kemut*, or hundred of his Realm, and all the Archbishops, Bishops, Abbots, & Priors of his Realm, signified with a Pastoral staff; who continuing all together,

Anno. 940. (o) *Spelman*. Concil. p. 408, 411. &c.

in prayer, fasting and consultation all the Lent, did in this Welsh Parliament, make and enact many Civil and Ecclesiastical Laws, which they divided into 3 parts and books, for the better Government of the Realm and Church; *Propos. 5. 2.* which you may read in Spelman. In the 22 Law

whereof they thus determine: *Tres autem sunt homines quorum nullus potest per Legem impignorare contra aliquod Iudicium: Primus est Rex, ubi non poterit secundum Legem in Lite stare coram iudice suo agendo vel respondendo, per dignitatem naturalem, vel per dignitatem terræ, ut Optimas, vel alius.* So that by the Laws of those times, not only the Kings of England, but even the petty Kings of Wales were by their very Natural and Royal Dignities, exempted from all personall Tryals and Judgements against them in any Courts of Justice, seeing they had no Peers to be tryed by.

In the year 940 (p) Reingwald (or Reginald) the Dane coming with a great Navy into Northumber- *(p) Simeon Dunelm. Hist. de Dunel. Eccl. c. 16. col. 23. c. 24.* land, slew most of the best Inhabitants of that Realm, or drove them out of it. He likewise seized upon all the Lands of St. Cuthbert, and gave his Lands to two of his

Souldiers; one of them called Scula, who afflicted the miserable Inhabitants with Grievous and intollerable Tributes; whence even unto this day, the Yorkshire-men as often as they are compelled to pay *Tributum Regale, Propos. 1, 4.*

A Royal Tribute, endeavour to impose a pecuniary Muilt on the Land which this Scula possessed, for the easing of themselves. Scilicet- *Legem deputant, quod Paganus per Tyrannidem fecerat, qui non legitimo Regi Anglorum, sed barbaro et aliegenæ Et Regis Anglorum hosti militabat. Nec tamen quamvis multum in hoc Laboraverint, Pravam Consuetudinem huc usque Sancto Cuthberto resitente Introducere potuerunt; writes Simeon Dunelmensis.* The other part of those Lands one Ontasbald seized upon; who was much more cruel and oppressive to all men than Scula, extraordinarily vexing the Bishop, Congregation, and

‘ People of Saint *Cuthbert*, and particularly seising upon
 ‘ the Land belonging to the Bishoprick; Whereupon
the Bishop oft endeavouring by perswasion to draw him to
 God, and entreating him to lay aside the obstinate ri-
 gor of his mind, and refrain himself from the unlaw-
 full Invasion of the Churches Lands, else if he con-
 temned his admonitions, God and St. *Cuthbert* would
 severely avenge the Injuries done by him to them, and
 others. ‘ He with a diabolical mind contemning his
 ‘ admonitions and Threats, swore by his Heathen
 ‘ Gods, that he would from thenceforth be a more bir-
 ‘ ter Enemy towards St. *Cuthbert* and them all, than e-
 ‘ ver he was before; Whereupon the Bishop with all
 ‘ his Monks falling prostrate on the earth, earnestly
 ‘ prayed to God and his holy Confessor, to annul thole
 ‘ proud Tyrants Threats; who was then comming
 ‘ into the place where they were praying, having one
 ‘ foot within the Door, and the other without; in
 ‘ which posture he stood there immovably fixed, as if
 ‘ both his feet had been nayled, being able neither to
 ‘ go out nor come in, but standing immovable, till
 ‘ being long thus tortured, he there gave up his mise-
 ‘ rable soul in the place: with which example all others
 ‘ being terrified, would no further presume by any
 ‘ means to invade the Land, nor any thing else belon-
 ‘ ging of right to the Church.

Anno 941.

(9) Anno 941. ‘ the *Rebellious Northumberland-*
 (9) *Mat. west.* ‘ ders preferring disloyalty before the Fealty which
 et *wigorn. An.* ‘ they owed unto Magnificent *Edmund* King of
 941. to 946. ‘ *England*, elected *Anlaff* (King of the *Norwegians*)
Hu. t. ngd. Hist. ‘ for their King, Son to the former *Anlaff*; who pe-
 l. 5. p. 355, ‘ rishing suddenly for his Sacrilege (as aforesaid) he
Hov. Annal. ‘ and *Reginald*, the Son of *Garthfrith*, after their Bap-
 p. 421. *Ethelm.* ‘ tism, breaking their faith and Agreement with
Hist. l. 4. c. 6. ‘
William Malmesbury, De Gest. Reg. l. 2. c. 7. Simeon Dunelm. Hist. de Dunelm.
Eccl. c. 18. col. 26. et de Gest. Reg. Angl. col. 134, 155, 156. Ethelr. Abbas de G. r.
Reg. Ang. col. 358. Pol. l. 6. c. 7. Fab. Caxt. Grass. Holinsh. Speed in the life of King Edm.

King

King Edmund, by invading his Dominions. Edmund thereupon by force of Armes expelled them both out of the Realm of Northumberland, and united it to his own kingdom; and wrested Lincoln, Nottingham, Derby, Leicester, and Stamford out of the hands of the Usurping, insolent, oppressing Danes, with all Mercia; subduing and reducing the Monarchy of all England unto himself; extirpating all the Pagan Danes with their infidelity; restoring Christianity to its Lustre, and the English to their Possessions and Liberties. The year following he wasted and subdued all Cumberland, and pillaged the people of all their goods: And because the people of that Country were perfidam & legibus insolitam, perfidious and unaccustomed to Laws, so that he could not totally subdue and civilize them, having harrowed it with his Army, and put out the eyes of the two sons of Dummail, King thereof, he gave the Country to Malcolm King of Scots, to be held of himself, upon this Condition, that he should assist him, and defend the Northern parts of England by Land and Sea from the Incurfions of invading Enemies. Proposit. 3, 7.

This King Edmund after the Conquest and Expulsion of his Enemies, by the advile of Dunston and his Chancellor Turbetulus, [r] made good Lawes, and ordinances, Ecclesiastical and Civil, for the Government of his Realm; for which purpose, about the year of our Lord 944, he assembled a Parliamentary Council of the Clergy & Laity at London, to consult and advise with them in the making of his Lawes. Which the Proems to them, thus expresse. Edmundus Rex ipso solenni Pascaris festo frequentem Londini tam Ecclesiasticorum quam Laicorum Cætum celebravit, as one version out of the Saxon; Or An. 944. (r) Chron. Ioh. Brom. col. 858. to 862. Spelm. concil. p. 415. to 428. Lambardi Archaion, Poly-chron. l. 6. c. 7. Malmesb. de Gest. Reg. l. 2. c. 7. Ingulphi Hist. p. 878. Congregavit magnam Synodum Dei ordinis et sæculi; as another translation renders it, eis interfuit, Odo, et VVulfstanus Archiepiscopi, et alii plures Episcopi, ut animarum suarum, et eorum omnium, qui eis cura sunt, consulatur saluti; And this Proem of King Edmund, himself

(f) Bromt.
Spel. Lamb.
quo supra.

self thus seconds, (f) *Ego Edmundus Rex omnibus qui in ditione ac potestate mea sunt, senibus & juvenibus, clare significo, Me à scientissimis Regni mei in celebri Ecclesiasticorum quam Laicorum frequentia, studiose requisivisse, quo tandem pacto Christiana proveheretur fides, &c. Or, Mando, & precipio omni populo Seniorum & Juniorum qui in Regione mea sunt, Ea quæ Investigans Investigavi cum Sapientibus Clericis & Laicis: In this Council there were three parcels of Laws made; the one, meerly Ecclesiastical; the other, meerly Civil; the third, mixt of bo. h. And in this Council, I conceive, the Constitutions of Archbishop Odo were read and ratified. The greatest part of the Civil Laws there made, were against Murder, bloodshed, fighting, breach of Peace, Theft, and Perjury: In the last parcel of these Laws, cap. 5. The King gives God and them thanks, for assisting him in making these Laws, in these words; *Maximas autem & Deo & vobis omnibus ago gratias, Qui me auxilio vestro in hac pacis quam nunc ad profligandos fures sancivimus, Lege adjuvistis; ac vehementer confido, eo vos propensius Nobis in posterum opitulaturos, quo hujus Decreti observatio magis videbitur necessaria.**

oposit. 5.

(t) Chron.
Joban. Bromt.
col. 859.

Proposit. 5: 4.
7.

About the same year, 944. (t) this King assembled another Parliamentary Council of his Bishops and Wisemen at Culinton, where they enacted 7 other Laws, Principally against Theeves, together with an Oath of Allegiance to king Edmund, thus prefaced. *Hæc est Institutio quam Edmunds Rex, & Episcopi sui, cum Sapientibus suis instituerunt apud Culintoniam de pace & Juramento faciendo.* The two first of these Laws I shall transcribe as pertinent to my Theam.

Proposit. 7.

Cap. 1. Imprimis, ut omnes jurent in nomine Domini, pro quo sanctum illud sanctum est, fidelitatem Edmundo Regi. Sicut Homo debet esse fidelis Domino suo, sine omni controversia & seditione, in manifesto, in occulto; in amando quod amabit, Nolendo quod

quod noluit; et antequam Iuramentum hoc dabitur, ut nemo concelet hoc in fratre vel proximo suo plus quam in extraneo.

Cap. 2. Vult etiam, ut ubi fur pro certo cognoscetur Twelfthindi et Twelfthindi (that is meuf of 600 or 200 s. Land by the year) confocietur et exuperent eum vivum, vel mortuum, alterutrum quod poterunt; et qui aliquem eorum insidiabit, qui in ea questione fuerint, sit inimicus Regis et omnium Amicorum ipsius. Et si quis adire negaverit, et coadjuvare nolit, emendat Regi cxxs. vel secundum hoc pernegat quod nescivit, et hundredo xxx s.

From whence it is apparent, That all Oaths of Allegance; and Laws against Theeves and other Malefactors, were then made and enacted in Parliamentary Councils assembled for that purpose, and all fines, for offences imposed, and reduced to a certainty only by Parliament. And by the last parcel of King Edmunds Laws in Bromton, it seems, the manner of contracting Marriage was then prescribed and settled by a Parliamentary Council.

This King (u) Edmund, as he gave and restored by (u) Chron. his Charters to Christ-Church and St. Augustines in VVil. Thorn. Canterbury several Lands unjustly taken away from col. 21. c. 25. Ed. them by his Predecessors, free from all secular services, vid. Eccles. except expedition and building of Bridge and Castle; and Cbrist. Cant. ratified the Laws and Privileges of St. Cuthberts Church col. 2221. Sim. at Durham, by consent of his Bishops and Nobles; So de Eccles. Dunelm. Hist. likewise, (x) Anno 944. he granted by his Charter n. l. m. l. 26. 19. (written in golden Characters) sundry Large Liberties, col. 25. together with the Mannor of Glastonbury to the Ab- (x) Malm. de bey of Glustonbury, Consilio et consensu Op imatum c. 7. Sp lmar meorum (then assembled in a Parliamentary Council concil. p. 4. 27. at London) ratifying the Privileges granted to the Monastery by King Edmund his Father, Efrid, Centwine, Propos. 4. 10; Ina and Cuthred; et ne quisquam mortalium, seu Episcopus, vel Dux aut Princeps, aut quilibet ministrorum

eorum audeat eam omnino intrare causa placitandi, vel capiendi, vel quidquam faciendi, quod contrarium fore possit inibi Deo Servientibus, Dei indictone prohibuit.

An. 945. (1) In the year 945. this King Edmund gave many
(Mat. west. An. 945. p. 366. Chron. 106 A. Brom. col. 828. Lands and Privileges to the Monastery of St. Edmunds-bury, by his Charters; quam subscriptione Episcorum, Comitum et Baronum pia devotione roboravit, (most probably in the Parliamentary Council, of Proposition 10. London, at Cullington where they were all assembled.)

Anno 946. (2) King Edmund, in the year 946. celebrating with
(2) Mat. west. wig. Malm. Hunt. Hov. In-terbury, as some; or at Pulcherkirke (now at Puckel-gulph. Sim. Durnelm. Brom. wil. Thorn. Polch. Aelredus, Fab. Graft. Caxton, Holinsh. Speed, An. 946. and in the life of Edmund. great Solemnity the Feast of St. Augustine (which the English accustomed to celebrate every year) at Can-terbury, as some; or at Pulcherkirke (now at Puckel-Church in Gloster-shire) as others, or Michelelesberith, as Matthew Westminster files it) as he was sitting at Dinner in the Hall amidst his Nobles and Courtiers espyed a notable Thief called Leoff (whom he formerly banished for his theft) stand in the Hall: Whereupon he not enduring his sight, commanded his Butler to thrust that Thief presently out of the Palace: who refusing to depart upon the Kings Command and resisting the

Proposit. 2, 8. Butler, the King therupon in a rage rising suddenly from the Table, took the Thief by the Hair, and threw him to the Ground: whereupon the Traitor feeling himself hurt, and the King lying upon him, presently drew out his Knife; which he carried secretly about him, ript up the Kings bowels and slew him with it; which the Knights and Souldiers perceiving, rushed all upon the Thief, and with their Swords and Knives chopped all his flesh and bones into small pieces. Some Historians write, that he slew some of the Kings followers likewise, and wounded more of them, and so escaped in the midst of the Tumult, Sicque clarum regalis Convivii principium, nebulosus rerum Gestarum exitus terminavit. Communi ergo decretum Concilio: It was thereupon decreed by a Common Council, that his Body should be interred in Glastonbury Abby. Abbot Ethel-red

red gives this Encomium of him. (a) *Erat autem patris (a) De Gen.*
Edwardi in omnibus imitator, homo simplex & re- *Reg. Ang. col.*
ctus, et timens Deum, et usque ad finem vitæ suæ *358.*
permanens in innocentia suâ.

(b) *Edred his Brother, succeeded him the same year in* *Anno 946. &c.*
the Throne, and was crowned King at Kingston by O- *(b) Mat. west.*
do Archbishop of Canterbury; Edwin and Edgar King *VVig. Sim. Du-*
Edmunds Sons, being put by, because of their Infancy; *nelm. Hunt.*
quia repugnante legitima ætate patri succedere non *Hov. Malm.*
valebant, as Matthew Westminster renders the reason. *Brom. Aelred.*
Speed. An. 946.

No sooner was he crowned, but entering into Nor- *and in the life*
 thumberland, with a great army, he subdued the rebellious *Edred, Eitelw.*
 Northumberlanders, who refused to bear the yoke of his *Hist. l. 4. c. 8.*
 government, reducing them all under his obedience. Where-

upon *Wulfstan* Archbishop of York, and all the Nobles of the Northumberlanders swore fealty to King *Edred*, which they did not long observe. After which King *Edred* entered with Banners displayed into Scotland; *Propos. 31*
 whereupon the Scots, stricken with a fear, without any resistance, or war, swore homage and fealty to him as to their true Lord, as well as the Northumberlanders; which Oath they soon violated: For no sooner was *Edred* returned with his Army into the Southern parts, but *Anlaff* who was chased out of Northumberland, returning thither again with a great Fleet, was joyfully received by the Northumberlanders, and restored by them to the Throne of the Kingdom, which he kept by force near four years. But in the fourth year the Northumberlanders using their accustomed treachery and disloyalty, chased away their King *Anlaff*, and received *Hirc* (or *Ericus*) son of *Harald*, for their king, who held the kingdom but a short time; for the People of the Country, not long enduring any king as they had lightly received *Hirc* for their king, so in the third year of his Reign, they as lightly rejected him and calling king *Edred* to them of their own accord, received him again for their Sovereign, and set him in the Throne, as *Humi-*
don records. But *Malmesbury*, *Roger Hoveden* and,

others relate; That king *Edred* Anno 948 was soincensed with the *Northumberlanders* for their treachery towards him, in chusing *Hirc* for their king, against their Oath of Allegiance sworn to him; that he wasted all *Norshumberland* with fire and sword and famine, *et penè ex hominibus deleuit*; But some of the *Northumberlanders* in his return from thence, sallying out of *York* with their forces, cut off some of the Rear of his Army at *Cesterford*; wherewith king *Edred* was so enraged, that he resolved presently to return, *et totam illam terram penitus desere*, and utterly to destroy all that Country. Which the *Northumberlanders* hearing, they were so terrified, that they rejected their new King *Hirc*, and received *Edred* for their Sovereign, satisfying the King with Honors, and the Damages and Wrongs they had done unto him, with Gifts, and no small Sums of Money. These treacherous Rebellious *Northumberlanders* after *Edred* and *Hirc*, had no particular King at all to rule over them, but only Dukes, whose names and successions (with their Treachery towards and Rebellions against them)

Anno 951.
(c) Mat. west.
An. 951. p.
357. Malm.
de Gest.

you may read at leisure in *Roger Hoveden*, who subjoyns the History of them immediately to this relation.

Reg. l. 2. c. 7.
Sim. Dunelm.
Hist. col. 356.
Flor. VVig. An.
952, 954. Ro-
ger Hou. An-
nal pars prior,
p. 427, Thomas
Stubbs, Acta
Pontif. Ebor. c.
1669. Godw.
Catalogue of
Bishops, p. 443.
Antiq. Eccles.
Brit. p. 49.
Propos. 2, 3.

This King *Edred* (about the year 951. (c) close imprisoned *Wulstan* Archbishop of *York* in *Withanbrig*, and suspended him from his Archbishoprick, near a whole year, for certain causes of which he had been frequently accused to him; but especially for countenancing and harbouring the rebellious perjured *Northumberlanders* and the *Danes*, a Heathen people, who not only sought to destroy his Native Country, but also to root out Christian Religion, for which he deserved a thousand deaths: and exciting them both against his Sovereign King *Edred*, contrary to their Oath; and for killing the Citizens

of

of *Tutford* in a tumultuous manner, in revenge of the death of Abbot *Adelm*, whom they had causelessly murdered. Notwithstanding all which, about a year after he was enlarged and restored to his Bishoprick; *Malmesbury* and Abbot *Ethelred*, record of king *Edred*, that he made his Palace altogether a School of Virtues, obeying Dunstons Counsels in all things, et *Justissimi Legibus subditos Regens*, and governed his Subjects by most just Laws.

I read only of one Great Parliamentary Council held under King *Edred*, and that was at [d] London, in the year 948. in the Feast of the Virgin *Maries* Nativity; Cui Universi Magnates Regni, per Regium edictum Summoniti, tam Archiepiscopi, & Episcopi, & Abates, quam Ceteri totius Regni Proceres & Optimates, Londini convenissent, ad tractandum de negotiis publicis totius Regni; as *Ingulphus* and others record.

Anno 948.

(d) *Ingulphi*

Hist. p. 874.

875, 876.

Hoveden An-

nal. pars prior.

p. 423. *Mat.*

Westm. An. 948

Spelm. Concil.

p. 428. *Mr.*

Seldens Titles

of Honour,

part 2. ch. 5.

p. 633.

Propos. 5, 8, 9.

Proposit. 1.

In which Parliamentary Council, when all the public-like affairs were finished (which as it seems concerned the making and carrying on of that war against the *Rebellious, Treacherous Northumberlanders*, who brake their faith with King *Edred*, and set up a King of the Danish race, as aforesaid,) the King in the presence, and by the consent of them all, restored, granted and re-confirmed by his Charter (dictated by Abbot *Turketulus* heretofore his Chancellour) all the Lands and Liberties formerly granted by Kings and others to the Abbey of *Croyland*, with sundry Mannors then given to it by *Turketulus* himself: wherein (amongst other Liberties) he granted to the Monks; *quod sint quieti & soluti ab omni Scotto, Geldo, auxiliis Vicecomitum, Hydagio, & ab Secta in Schiris, Wapuntakis, Hundredis, Thrichingis & omnibus omnibus aliis curis & seculi oneribus universis.* This Charter was subscribed and ratified with the sign of the Cross, by all the Archbishops, Bishops, Abbots and Nobles, who gave both their Counsels and Assents thereto, as their

their subscriptions testify, that so it might be firm and perpetual. In the beginning of which Charter, this King, to shew, that he held his Crown only from and under God, thus styles himself. *Ego Edredus Rex terrenus sub imperiali potentia Regis seculorum aternique Principis, Magna Britannia gerens Imperium, &c.*

About the year of Christ 950, [e] *Nogui a Welsh King*, being overmuch incensed with one *Arcoit*, wasted his Lands, and with too much fury, violated the Sanctuary, to which he fled. Whereupon *Pater Bishop* of *Landaffe* assembled all the Clerks of his Diocese in a Synod, to punish this Sacrilege and breach of Sanctuary: Which the King hearing of, desired pardon of the Bishop and whole Synod, for these offences in the Church of *Mainnon*, restoring all the things of the Church he had taken away, with satisfaction, and effusion of Tears. Whereupon, to obtain pardon and absolution for the penance they enjoined him, he gave the parish of *Guidcon*, with all the Lands, Liberties and Commons appertaining thereunto, to God, and the Bishops of *Landaffe* for ever, to be held in *Frankalmoigne*. Some five years after (*Anno 955.*) *Ily* a Deacon, slaying one *Merduiter*, and flying into a Church for Sanctuary; thereupon his kinsfolk, and some of king *Nogui* his family, forcibly entering into the Church, slew *Ily* before the Altar, sprinkling his blood both upon the Altar and Walls of the Church; Whereupon *Pater Bishop* of *Landaffe*, assembled a Synod of all the Priests, Deacons, and Ecclesiastical persons within his Diocese, to excommunicate the Delinquents; which King *Nogui* and his Nobles hearing of, fearing the Malediction of the Church, the weight whereof they durst not undergoe, sent for the Bishop, and upon consultation, by advice of the Doctors of both sides, delivered up the Murderers into the Bishops hands, who sent them to the Monastery of *St. Teliavi*, where they were kept 6 Moneths in Iron Chains. After which they were excommunicated.

An. 950, 955.

[e] Spelman.

Concil. p. 429.

430, 502, 530.

Proposit. 2, 4,

6, 10.

munited. Synodo quoque Judicantē definitum est, unusquisque eorum suum agrum, suamque totam substantiam, insuper & pretium animæ suæ (id est) septem Libras Argenti, redderet Ecclesiæ quam maculaverat, determinantibus omnibus Divino Judicio, &c.

The Bishop rising up in the midst of them, holding the Gospel in his hand, said to *Nogui*, lay thy hand upon this Gospel: Whereupon *Nogui* laying his hand upon it, said; ' Sit hæc terra cum incolis suis, in sempiterna consecratione Deo, &c. & Patri Episcopo, & omnibus Episcopis *Landavie*, Libera ab omni Laicali servitio, nisi tantum in oratione quotidianâ in perpetuo. It seems the petty Welsh Kings, and their Courtiers, were all subject in those dayes to the Censures and excommunications of their Synods, for their Sacrilege, and other unrighteous Actions infringing the Churches Liberties. That their Synods had a Judiciary Power, and that they could not convey Lands to the Church, but by the Consent and Judgement of their Synods, which attested and ratified the same, as you may read in *Spelman*. Who likewise informs us, of another Welsh Synod held at *Landaffe*, about the year 988. wherein *Arithmail* Son of *Nogui*, King of *Guenti*, slaying his Brother *Elised*, was for this execrable *Fratricide* excommunicated by *Gucan*, Bishop of *Landaffe*, and all the Synod, who thereupon submitting to the penance therein enjoined him, gave certain Lands for ever in *Frankalmoigne* to God and all the Bishops of *Landaffe*, to purchase his absolution.

King [f] *Edred* deceasing to the great grief of all his [f] *Anno 957.*
mesbury de Gest. Reg. l. 2. c. 8. de Gestis Pontificum, l. 1. p. 20. Mat. Westminster, & Vigorn. An. 955, 957, 958, &c. Hoveden Annal. pars prior, p. 427. Ethelredus Abbas de Genealogia Reg. Angl. col. 358, 359. Chronicon Johannis Bromton, col. 362, 363. Simeon Duelmensis de Gestis Regum Angliæ, col. 156, 157. Hygden Polychron. l. 6. c. 8. Fabian, Caxton, Holinshed, Grafton, Speed in the life of Edwin, Osburn, Gervastus Dorobern. Capgrave, Mat. Parker, and Godwin in the Lives of Odo and Dunstan, Fox Acts and Mon. vol. 1. p. 196. Antonini Chron. pars 2. Tit. 16. c. 6.

Sub-

Subjects, his Nephew *Edwin* (formerly put by the Crown for his Nonage) was thereupon (though young) crowned King at *Kingston* by Archbishop *Odo*, An. 955. but in the second year of his reign 957. the *Mercians* and *Northumberians* wholly cast off their obedience to him, and conspiring altogether by unanimous consent, rejecting him from being their King, elected his Brother *Edgar* for their Sovereign Lord, Deo dictante & annuente populo: VWhereupon the kingdom was divided between them by the bounds of the River of *Thames*.

VWhat was the true Cause of this deposition and rejection of *Edwin* is very doubtfull: *William* of *Malmesbury*, *Hoveden*, *Matthew Westminster*, *Dunelmensis*, *Bromton*, *Henry de Knighton*, *Abbot Ethelred*, *Hyden*, *Florence of Worcester*, and most of our old Historians being Monks, and over-much devoted to their Arch-Patron *Dunstan*, record: That the true Causes thereof were, First, His ill lascivious Life and Incontinency with *Alfgiva* his Concubine (as they write) and near kinswoman, from whom Archbishop *Odo* divorced him; and likewise with sundry other Concubines which he entertained in his Court, whom *Odo* excommunicated and banished thence. 2. *His Indiscret* and Tyrannical Government contrary to his Laws. 1. 'In slighting, depressing and destroying the Nobles and 'Wisemen of the Realm, who disgusted his lascivious 'Courses, and in favouring ignorant, unjust, vicious 'persons, and following their most wicked Counsels. '2. In banishing Abbot *Dunstan*, and seizing upon all 'his Goods, only for Justice sake, because he reprehended him for his exorbitant vicious Courses (being then the chief swaying Grandee, and head of the Monkish faction.) '3. In forcibly thrusting out by 'Armed Souldiers all the Regular Monks throughout 'England, and casting them forth of the Monasteries, (there being then no Regular Monks in any Monasteries,

but only in Glastonbury and Malmesbury as the Chronicles of Winchelter, and others record:) then seizing upon all their wealth, and bestowing their Lands and Monasteries on secular and married Priests, and afflicting these Monks in sundry other kinds. But (g) Henry Arch-Deacon of Huntingdon, an antient, judicious, impartial old Historian, flourishing in the year 1148, mentions none of these particulars, in his life, but gives this honorable Testimony of his Government, that it was both prosperous, flourishing and laudable. *Rex Edwi non illaudabiliter Regni infulam tenuit; Anno Regni sui Quinto, cum in principio Regnum ejus decentissime floreret, prospera et lætabunda exordia mors immatura perripuit.* And therefore Archbishop (h) Parker, (i) Bishop Godwin, (k) Speed, and (l) others conceive, that the true cause why the Mercians and Northumbrians, (& those only, not the rest of his subjects and kingdom) rejected him, and set up his Brother Edgar (whose lasciviousness was more excessive, and vices more extorbitant in some degrees than Edwins, which yet our former Monkish Historians blanch or excuse) was the Malice of Dunstan, and Odo (the Pillars and Oracles of the Monkish Clergy;) who stirred up the Mercians and seditious rebellious Northumbrians, against him, to set up Edgar in his stead, who was totally devoted to them and Dunstan, by whose Councils he was afterwards wholly guided, and built no less than 47 new Monasteries for the Monks, besides all those he repaired, intending to build three more had he lived, to make them 50 compleat; , and likewise cast out the secular and married Priests out of all Monasteries and Churches unless they would become Monks, replenishing all Monasteries & Churches with Monks alone. They likewise inform us, that the true causes of kings Edwins banishing Dunstan, ejecting the Monks, and seizing their Lands and Treasures was, That Dunstan had so bewitched Edmund, Edward, Athelstan, and Adred his Predecessors, with the

(g) *Histor. l. 1, p. 356.*

(h) *Antiq. Eccles. Brit. p. 47 to 54.*

(i) *Catalogue of Bishops in the lives of Odo & Dunst. p. 19, 20, 21, 22.*

(k) *History of Great Britain. p. 403, 404.*

(l) *Spelm. concil. p. 429, 430.*

'love of Monkery, as that they not only took violent-
 ly from married Priests their livings to erect monaste-
 ries, but also lavishly wasted much of their own Roy-
 al Treasures, Lands and Revenues upon them, which
 they should have rather employed in resisting the
 common Enemies of God and their Country, the
 Danes: whereupon *Edwin* perceiving that all the
 wealth of the Land was crept into Monasteries, not on-
 ly refrained to bestow more on them, but recalled di-
 vers of those prodigal Gifts his Predecessors had gran-
 ted them, which the Monks refusing to render upon
 demand, he seized upon them by armed Officers, as ha-
 ving indeed cheated his Predecessors and defrauded
 the Kingdom of them. *They adde hereunto, that King*
Edrid had committed all his chief Household-stuff,
Plate, Records, and the Treasures of all the Realm,
with all the Magazines he had gotten, to Dunstons
custody, and laid them up in the Monastery at Gla-
stonbury; yea, he committed his Kingdom, body and
Soul unto him, so as all was wholly in Dunstons pow-
er, who alone managed all the publick affairs of the
Realm, and exercised Regal Authority. And when
King Edred in his sickness demanded all his Hous-
holdstuff, Jewels, Monies and Treasures from him,
Dunstan pretending to fetch them, before he return-
ed with them, Dunstan heard a voice (as our Monkish
Writers fable) that Edred was dead in the Lord; and
thereupon detained them in his and his Monks custo-
dy, being unwilling to part with them to young King
Edwin his Successor, whereupon he seised on them
by force, as of right belonging to him, and expelled
Dunstan with his Monks. And so much the rather,
because Dunstan presumed most impudently and vio-
lently, to rush into his Bed-chamber, and pull him
out forcibly thence on the very day of his Coronation
(contrary to all Christian and Princely Modesty) from
the embraces of his beautifull and beloved Alfgina,
which

which some Monks, and these Historians report, to be his lawfull wife, not his Concubine, and not content therewith, he excited Odo Archbishop of Canterbury, publicly to divorce her from him; some say, for consanguinity only, and others for other Reasons. Whereupon the king betaking himself to his Concubines, Odo suspended him from the Church, excommunicated all his Concubines, caused one of them whom the king best affected, to be violently fetched out of the Court with armed Men, branded her in the forehead with an hot Iron, and then banished her into Ireland.

After which she returning into England, Odo apprehended her the second time, and cut off her Sinews at the Hockbone. All which intollerable Affronts so incensed Edwin, that he banished and spoyled Dunstan with his Monks as aforelaid, and threatned Odo with severe punishments; none others in the Realm but these daring then to oppose him: hereupon they formerly and then bearing the greatest sway, by way of revenge, and to prevent Edwins further fury against them, stirred up the Mercians and Northumbrians to reject him, and that in a tumultuous manner, by force of Arme, in which Uproar Edgar gained possession of half his Kingdom.

(m) Matthew Parker and Sir Henry Spelman out of him, subjoyns, that by these civil dissentions raised between King Edwin and his Brother Edgar, they much weakened the forces of the Realm in many set Battels fought between them; till at last Edgar getting the better; Con-
vocat ad Branfordiam Regni concilio, Fratris Edwini acta et decreta rescendit. Assemblong a Council at Brandford, he repealed all the Acts and Decrees of his Brother King Edwin, restored to the Churches and Monasteries the Treasures he had taken from them, recalled Dunstan from his former banishment, and made him first Bishop of Worcester, then of London, and last of all of Canterbury.

(m) Antiq.
Eccl. Brit. p. 40
p. 153. Spelm.
concil. p. 431.
Anconius in his
life.

Propos. 8.

[n] *De Even-*
tibus Angliae,
l. 1. c. 5. col.
2312, 2313.

[n] *Henry de Knyghton*, a Canon of the Abbey of *Leicester*, relates, out of the *History of Leicester Abbey*; That *Edwin* being expelled and shamefully thrust out of his kingdom, for his evil life, and exorbitant actions done against the Church, the Monarchy of *England* continued void above a year. Whereupon, many murders and wickednesses were committed, and infinite mischiefs happened amongst the people for want of Government, until holy men, both of the Clergy and People deeply affected therewith, humbled themselves, and unceasingly repented of their sins, and prayed day and night to God, that he would hear them, and mercifully relieve them in so great necessity, giving them such a King who might govern the Realm of *England* in such sort, as might redound to the honour of God, and profit of the Realm. That God beholding their prayers from on high, in the night silence, this voice was heard from God; That they should crown *Edgar* King, though but then a youth; who rejoiced with this Divine Oracle, (most likely by the Monks and *Dunstons* Legerdemain, the Divine Oracle that uttered it) speedily advanced *Edgar* to be King, being but 16 years old; and so he was elected and crowned King by a divine Oracle, which never hapned to any King of *England* in former times.

Anno 959.

[e] *Mat. West-*
minst. Wigorn.

Et Sim. Dun-
helm. Anno

859. VVil.

Malmesb. de
Gest. Regum

Angl. l. 2. c. 8.
Eitelredus

Abbas de Ge-
nealogia Reg-

num Angl. col.
349. 360.

Graft. Chron.
2. 154.

Upon *Edgars* Coronation [o] and *Dunstons* retraction, An. 959. *K. Edwin* reigning in a decayed Estate, living in little Esteem, and without being desired, for very grief thereof (as some write) he died, after he had for 4 years space, *Libidinosè simul & Tyrannicè*, lustfully, and also Tyrannically depressed the Realm of *England*: Others affirm, that he was deprived both of his Life and Kingdom, by the Rebellion of his Subjects: But his Monkish Opposites record, that he was taken away by an untimely Death by Gods Just Judgement, in the year of our Lord 959. Whereupon his Brother *Edgar*, *ab omni populo electus*, being elected king by all the people, united the

the kingdom into one, and obtained the intire Monarchy of the Realm, the kings of Cumberland, Scotland, and Wales, voluntarily submitting, and doing homage to him, without any effusion of blood, or war.

King Edgar [p] About the year of our Lord 963. Anno 963, contrived the death of Earl Ethelwald, who (as some [p] Chron. Jo- Authors aver) against his trust, had cheated him of ban. Bromton, Elfrida, only Daughter of Ordgarus, Duke of Devon- col. 867. Mal- shire, the Paragon of her Sex, by disparaging her beau- mesb. de Gest. Reg. Angl. l. ty to the king, and marrying her to himself. After which 2. c. 8. Osburn. the king being extraordinarily ravished with the true Casgrave, report and sight of her transcendent beauty, thereup- Mat. Parker, on (as Bromtons Chronicle relates) *statim post octo dies*, & Godwin in Rex Parliamentum suum apud Sarisberiam convocavit, the life of Ubi cunctis suis Proceribus congregatis, de custodia Archbishop Dunstan, Fox terra Northumbriae qualiter contra ingressum Danorum Acts and Mon. melius posset custodiri, tractaverunt; inter quos Ethel- vol. 1. p. 200, wolfus ad Custodiam Eboraci & patriae adjacentis, in 201. Speeds History, p. 407, illo erat Concilio deputatus. A clear Evidence, That 408. Matters of defence against Common Enemies, and Guar- dians of the Sea-coasts against the Danes Invasions, were Troposit. 3, 9, then debated and settled by the King and his Nobles in Parl. 4. then usually summoned by our Kings for that end. Hereup- on Earl Ethelwolfe travelling through the Forrest of Werewell towards his new VVardship, was there cru- elly assaulted and murdered by some unknown armed persons, there placed in ambuscado by the king, as was commonly reported, and as some relate by king Ed- gar himself, who shot him through with an Arrow, as they were there hunting together. The slain Earls Ba- stard-Son being there present, beholding his dead Corps, the king demanded of him, *how such a hunting pleased him?* who answered, *very well my Lord and King; for that which pleaseh you ought not to displease me: which answer so pacified this kings swelling mind,* that he loved no person more entirely all his life than this Young man, *Tyr amici facti offensam in Patrem se-*

dulcite Regiâ in filium allevans, writes *Malmesbury*. This being done, the king with great joy bringing *Alfrida* to London, there espoused her, and the same day both of them wore a golden Crown, adorned with precious pearls, on their heads. Hereupon Arch-bishop *Dunstan*, the next morning, boldly rushing in- to the kings Bedchamber, whiles they were both in Bed together, demanded of the king; *what Woman he had lying in bed with him?* who answered, *that it was his Queen*; *Dunstan* by way of rebuke replied; 'That he could not marry or retain her as his wife, with- out offending God, and the Laws of the Church, be- cause he had been Godfather to her Son, often admo- nishing the king, that he would put her away, and be divorced from her: VVhich he by reason of his ar- dent love towards her, and unsatiable lust with her, would by no means hearken to.

Anno 964.

[r] *Malmesb.*

de Gest. Reg. I.

c. 8. *Osburn,*

Capgrave,

Surius,

Matthew Par-

ker, and God-

win in the life

of Dunstan,

Fox Acts and

Mon. vol. I. p.

201, 202.

Speeds Chron.

p. 407, 408.

Spelm. Concil.

p. 481, 482.

Anno 964. King *Edgar* hearing of a Nun of incom- parable beauty in the Monastery of *Wilton*, named *Wil- frida*, a Dukes Daughter, took her out of the Nun- nery, and frequently admitted her to his Bed: VVich being commonly blazed abroad; Arch-bishop *Dunstan* understanding of it, with great passion, and indignation of mind came to the king; who seeing the Archbishop, arose from the Royal Throne to take him by the hand, and give him place. But *Dunstan* refused to take him by the hand, and with a stern countenance, bending his Browes, spake thus unto him. 'Thou that hast not feared to corrupt a Virgin, espoused to Christ, presumest thou to touch the consecrated hands of a Bishop? Thou hast defiled the Spouse of thy Maker, and thinkest thou by flattering service to pa- cifie the Friend of the Bridegroom? No Sir, his Friend will not I be, who hath Christ for his Enemy, &c. The king terrified with these and other thundering words of *Dunstan*, and compuncted with inward re- pentance for his perpetrated sin, fell down at *Dun-*

stans

stands teet weeping : who raising him up again from the ground, began to relate unto him the hainousness of the fact: And finding the king ready to undergoe what ever satisfaction he should lay upon him, injoynd him this following Penance for 7 years space. 'That during these seven years he should wear no Crown; 'That he should fast twice every VWeek; That he should liberally distribute the Treasures left him by his Ancestors, to the poor; That he should build a Monastery of Nuns at *Shaftesbury*; That as he had robbed God of one Virgin, through his transgression, so should he again restore many to him in time to come. Moreover, That he should expel Clerks of evil lives, (meaning secular Priests who had VVives and Children) out of Churches, and place Covents of Monks in their room: That he should enact just Laws, & such as were acceptable to God; and command the people to observe them through all parts of the Realm. VVhich the king promising effectually to perform, was thereupon absolved, and vigorously set himself to execute what he had promised.

Anno 966.

Hereupon, in the year 966. (f) King Edgar founded the Monastery of *Hyde* near *Winchester*, filled it with Monks, endowed them with large privileges and possessions, exempting them from all secular services whatsoever, but these; *rata expeditione, Pontis Arcis, ve constructione*; prescribed several Laws and Canons for the Monks thereof to observe, made by advice and content of his Bishops and Nobles, and ratified by his Royal Charter, subscribed by himself, his two sons Prince *Edmund* and *Edward*; his Queen, Grandmother, both the Archbishops, 9 Bishops, 5 Abbots, 3 Dukes, and sundry others, with the sign of the Crois annexed to their names. In which Charter there is this solemn curse donounced against all the infringers and perversers thereof. 'Si quis autem hanc nostram Donationem in aliud quam constituimus transferre voluerit, pri-

(f) *Spelmani Concil. p.*

435, to 444. *Mat. VVestm.*

& *VVigorn.*

An. 963, 964,

& *Monasticon.*

Anglic.

propos. 1, 10.

‘privatus consortio sanctæ Dei Ecclesiæ, æternis Ba-
 ‘rathri incendiis lugubris jugiter cum Juda Christi pro-
 ‘ditore, ejusque complicibus puniatur, si non satisfac-
 ‘tione emendaverit congrua, quod contra nostrum
 ‘deliquit decretum.

(t) *Histor. p.* The same year King Edgar by his regal Charter (re-
 880, 881, 882. corded at large by [t] *Abbot Ingulphus*) confirmed
Proposit. 6, 10. all the Lands and Privileges of the *Abby of Croyland*,
 formerly granted and confirmed to them by King E-
 dred and his Nobles, in the presence of both the
 Archbishops, Bishops, and Nobles assembled
 in a Council at London: who ratified it with their
 subscriptions, the sign of the Cross, and a solemn ex-
 communication (denounced by the two Archbishops
 and three Bishops more in *Pauls Church London*. in the
 presence of King Edgar his *Relates and Nobles*, in
Octavis Pentecostes against all Infringers of this Char-
 ter and of their Liberties.

Anno 967. About the year 967 as some, or 969. as others compute,
 [u] *Ebron. 10.* King Edgar in a Great Senate or Council, by advice of his
Brom col. 870, *Wisemen*, enacted divers civil & Ecclesiastical Laws and
 871. *Lambardi* *Canons*, for the Government of the State and Church,
Achaion Spel- thus prefaced. *Leges quas* (or, *hoc est Institutum*
man concil p. quod) *Edgarus Rex, fregenti Senatu, Consilio Sapi-*
 443 to 476. *entum Inozum, ad Dei gloriam Regis* *et* *Reipublicæ utilitatem sancivit, or*
Proposit. 5. *ornamentum, et* *constituit.* The 7 and 8 of his secular Laws in the
Propos. 2, 3, 4 *Latin* but 1, 2, 3. in the Saxon Copy, I shall only
 transcribe.

‘Hoc est institutio secularis quam volo per omnia
 ‘reneri. Volo ut omnis homo sit dignus juris publi-
 ‘ci, super et de quicunque sit; et eis iusta
 ‘judicia judicentur. Et sit in emendationibus re-
 ‘mittio venialis apud Deum. Et apud seculum tolera-
 ‘bilis. Et nemo requiret Regem pro aliqua causa,
 ‘nisi domi negatur ei omne dignum recti, vel rectum
 ‘impetrare non possit. Et de nulla emendabili re foris
 fa-

‘faciat homo plusquam Weram suam (agreeable to our
 ‘Kings Corona: ion oath, and *Maena Charta*) Et ju-
 ‘dex qui *insustum judicium subleabit* alicui, det Regi
 ‘Cxx s. nisi jurare audeat, quod rectius judicare ne-
 ‘scivit. Et qui aliquem injuste superdicere præsumat,
 ‘Unde vita vel commodo pejor sit, linguæ suæ reus e-
 ‘rit, &c.

Anno 969. there was (x) a general Council assembled at London by king Edgar, at the instigation of Pope John, and Archbishop Dunstan; wherein (as I conceive) the King made that elegant Oration, against the vicious lives of the Clergy; thus expressing his own duty and supremacy over all Persons and causes both Civill and Ecclesiastical. Justum proinde est, ut qui omnia subjecit sub pedibus nostri, ‘ubjiciamus illi et Nos et animas nostras; et ut hi, quos nobis subdidit ejus subdantur Legibus, non segniter elaboremus Et max quidem interest *Laicos cum equi-
 ‘tatis jure tractare*; inter virum et proximum suum *justum judicium facere*, punire sacrilegos, rebelles suppressere, eripere inopem de manu sortiorum ejus, egenum et pauperem à deripientibus eum. Sed et max sollicitudinis est, Ecclesiarum Ministris, &c. et necessaria procurare, et pati eorum et quieti consulere. De quorum omnium moribus ad Nos spectat examen: si vivunt continenter, si honeste se habent ad eos qui foris sunt; si in divinis officiis solliciti; si in Docendo populo assidui, si victu sobrii si moderati habitu, si in judiciis sunt discreti, &c. Ego Constantini, vos Petri gladium habetis in manibus; jungamus dextras, gladium gladio copulemus ut ejiciantur extra castra leprosi, ut purgetur sanctuarium Domini, et ministrent in Templo filii Levi, &c. After which directing his speech to Dunstan, Aethelwald, and Oswald, he concludes thus, *Vobis istud committo negotium, ut Episcopali censura et auctoritate*

Anno 966.
 (x) Ethelredus Abbas de Gen. Reg. Ang. col. 360, 361. Sim. Dunelm. De Gest. Reg. Ang. col. 158. Chron. Io. Erom. col. 768. Mat. Westm. Vig. Hor. An. 963, 969. Polych. l. 6. c. 10. Osh. Ger. Surins. Mat. Parker, Godwin in the life of Dunstan, Oswald, & E. Aethelwald. Fox Acts and Mon. vol. 1. p. 197 to 233. Spelm. conc. p. 476. &c. Baron. Anno 969.

R

Re-

Proposit. 4.

(y) Chron.
col. 868.

Propos. 4.

[x] Spelman.
Concil. p. 432
to 435. See
Mat. westm.
Vigorn. and
Hoveden, An.
no 966. Sim.
Dunelm. Hist.
De Gestis Reg.
Angl. col. 158.

Proposit. 4. 6,

Regia turpiter viventes de Ecclesiis ejiciantur, & ordinate viventes introducantur. Hereupon there was a Decree made in this General Council, That all Canons, Priests, Deacons, and Sub-Deacons should live chastly (that is, put away their lawfull Wives, vow chastity, and become Monks) or relinquish the Churches they then held: The execution whereof was committed to Oswald and Ethelwald; Who thereupon compelled the Clergy in Worcester, Winchester, and other Churches to become Monks, *renuentes verò ab omni beneficio spoliaverunt*, depriving those who refused of all their Benefices, and putting Monks into them, *qui novo quidem splendore universam Insulam illustraverunt*, as our Monkish Writers record: or rather *novo fœtore contaminaverunt*, as others write (y) John Bromton informs us, that after the slaughter of the Nuns of Ely by Ingvar and Hubba, the secular Priests enjoyed that Monastery one hundred years space; whom King Edgar *de Concilio beati Dunstani Archiepiscopi, & dissi Ethelwaldi, ac magnatum Regni* (in the forementioned General Council) *expulsi & fugavit* for their dishonest conversation.

Bishop Oswald having ejected the married secular Priests out of his Church at Worcester, and introduced Monks in their places, did this year 969. as I conjecture from the premises (not 964. as Sir Henry Spelman computes it) (x) procure King Edgar by the Counsel and assent of his Princes, Nobles and Bishops (most probably in the forementioned General Council, or that of London next ensuing) to ratifie this their ejection, and confirm the Church of Worcester, with all the lands, goods, ecclesiastical & secular things thereto belonging to the Monks of that Church for ever, free from all secular services and exactions, hard or easie, and from all fiscal duties great and small, known or unknown, as well of the King or Prince, as of their Officers, exceptis Arcis, & Pontis extrucone, et expeditione contra ho-

stem,

cessum. And that by the special Charter, called *Oswald Law*, subscribed by the King, Queen, both the Archbishops, and 3 Dukes.

(a) King Edgar, Anno 970. or 971. in the 12 year of his reign held another **Parliamentary Council** at ^{Anno 970.} [a] *Molmesb. London*, where himself, his Mother *Alfgina*, Prince de Gestis Reg. *Edward* his Son, *Kined King of Scots*, & *Mascusius* his ^{Angl. l. 2. c. 8.} Admiral, both the Archbishops, with the rest of the Bishops, ^{p. 57. 58.} and all the Nobles and great men of the Realm were ^{Spelman. Con-} present, By his Charters made in and ratified by this ^{cil. p. 483. to} Council, this King granted and confirmed many and ^{naft. Anglit.} very magnificent Privileges to the *Monastery of Glasstonbury* *communit Episcoporum, Abbatum, Principumque concilio. et generali assensu, Pontificum, Abbatum, Optimatumque suorum*, exempting the *Monastery and Monks thereof*, not only from all Episcopal Jurisdiction, but likewise all their Lands from all Tributes and Exchequer businesses for ever, Granting them ‘*Soccam & Sacam &c. Toll & Teame, Ita libere et quiete, sicut ego habeo in regno meo: Eandem quoque Libertatem & Potestatem quam ego in Curia mea habeo, tam in demittendo, quam in puniendo, & in quibuscumque omnino negotiis Abbas & Monachi prefati Monasterii in Curia sua habeant.* And which is a Privilege beyond all president, ‘*Si autem Abbas, vel quilibet Monachus loci illius latronem, qui ad suspendium vel quodlibet mortis periculum ducitur in itinere obvium habuerit, potestatem habeat eripiendi eum ab imminenti periculo in toto Regno meo.* The old Charter begins thus.

‘*In nomine Domini nostri Jesu Christi. Quamvis Decreta Pontificum, & verba Sacerdotum inconvulsis ligaminibus, velut fundamenta montium fixa sunt, tamen plerumque tempestatibus & turbinibus secularium rerum Religio sanctæ Ecclesiæ maculis reprobiorum dissipatur ac rumpitur. Idcirco profuturū succedentibus posteris esse decrevimus ut ea quæ salubri Consilio*

et communi assensu desinuntur, nostris literis roborata firmentur, &c. Hoc itaque Dunstano Doroberniensi, atque Oswaldo Eboracensi Episcopo adhortantibus, consentiente etiam et annuente Brunilmo Fontanensi Episcopo, ceterisque Episcopis, Abbatibus et Primatibus: Ego Edgar divina dispositione Rex Anglorum, &c. And it concludes thus, Acta est hæc Privilegii pagina, & confirmata apud Londonium **Communi Concilio omnium Primatum meorum**: Then follow the subscriptions of King Edgar, Aelfgiva his Mother, Prince Edward, Kinred King of Scots, Mascusius the chief Admiral, both the Archbishops, 5 Bishops, 8 Abbots, 3 Dukes, and other Officers: Which Charter and Privileges at the Kings request were ratified by Pope John the 13 in a general Council at Rome, Anno Dom. 971. by a special Bull, that they might remain inviolable: yet both the Abbey it self, Lands, Privileges are long since demolished, dissipated, annihilated, such is the mutability of all sublunary things.

[b] Ingulphi
Historia. p.
883, 883.

The self same year (Anno 970.) [b] King Edgar by his Charter granted and confirmed sundry Lands and Privileges to the Monastery of Medeshamsted formerly demolished by the Danes, which Bishop Aethelwold had repaired, and named Burgh, perpetually exempting it from all Episcopal jurisdiction, yolk, and exaction; *Quatenus nec Rex, nec Comes, nec Episcopus, præter Christianitatem attinentium Parochiarum, nec Vicecomes, nec ulla alia major minorve persona, ulla dominatione occupari presumat, excepta moderata expeditione, & Pontis Arcisve constructione.* Which Charter was ratified by the kings own subscription, both the Archbishops, sundry Bishops, Abbots, Dukes, and other chief Officers, and the sign of the Cross after each of their Names.

Anno 973.

[c] Matthew

VVestm. VVigorn. Sim. Dunelm. Hoveden, Bromt. and others, An. 973. Malmesb. de Gest. Reg. l. 2. c. 8, p. 10. Hen. Huntingd. Hist. c. 5. l. 356. Hoved. annal. pars prior, p. 426.

years

years penance expired, on the Fealt of Penecost in the 30th year of his age, was solemnly Crowned, and consecrated King, and wore his Crown with great glory at *Akemancester*, alias *Bath*, both the Archbishops *Dunstan* and *Oswald*, with all the rest of the Bishops of England, at *Spagnatibus uniberfis*, and all the Nobles being there present at his Coronation, and received the accustomed Gifts usually given to the Nobles being at such inaugurations. Soon after the same year this King with a very great Fleet and Army sayling round about the Northern parts of England came to *Westchester*, where his eight tributary Kings or Vice-royes, (namely *Kyneth* king of Scots, *Malcome* King of Cumberland, *Marcus* king of *Man*, and many other Ilands, and the other 5 kings of *Wales*, *Dufnall*, *Siferth*, *Howel*, *Iames*, and *Inchill*) met him as he had commanded them, and swore allei nce to him in these words: **That they would be faithfull and assisting to him both by Land and Sea.** Which done, he on a certain day entred with them into a Barge, and placing them at the Oares, himself took the Helm, and steered the Barge very skilfully whiles they rowed it down the River of *Dee* from his Palace to the Monastery of *St. John Baptist*, on the other side, all his Dukes and Nobles following and accompanying him in other Barges: where having made his Prayers, they all rowed him thence back again in like pompe to his Royal Palace; which when he had entred he said to his Nobles: **That any of his Successors might then say he was King of England, when with so many Kings following and subject to him, he should enjoy the Prerogative of the like pompe and power.** But *Mr. Fox* subjoyns; *In my mind this king had said much better: God forbid that I should glory in any thing but in the Cross of our Lord Jesus Christ.*

(e) The year following An. 974. Certain Merchants coming from *York*, arived in the Isle of *Thanet* in

Malm. de gest.
Reg. l. 2. c. 8. p.
56. Huntingd.
Hist. l. 5. p.
356. Hou.
Annal pars
prior. p. 426.
Mat. westm.
Flor. wigorn.
Simeon Dunel.
An. 973. 974.
Chron. 10. Brom.
col. 869. Etbel-
redus. Geneal.
Reg. Ang. col.
362. Polychron.
l. 6. c. 10. f. 238.
Heu. de Knygh-
ton, De Even-
tibus Ang. l. 1.
c. 1. V Valsing.
Hist. Ang. p. 51.
Fox Aets and
Mon. vol. 1. p.
200. Caxton,
Grafton, Fab.
Holinsh. Speed,
Baker, and o-
thers in the
life of Edgar.
Mr. Seldens
Mare clausum.
l. 2. c. 11, 12
Anno 974.
(e) Mat. west.
An. 974. 374.
375. Hen. Hun-
tingd. Hist. l. 5.
p. 356. Chron.
10. Brom. col.
867. De Gest.
Ang. l. c. 8. p. 58.
Ingulphus,
Histor. p. 384.

Propos. 2, 4.

(f) De Gest.
Reg. l. 5. c. 3 p.
28.(g) Histor.
p. 383. &c.(h) Spelman.
concil. p. 488,
489.

Propos. 4, 6,

(b) Chron. of
Winchester
Spelman
concil. p.
491.

(i) Malm. de custome of that age.

Gest. Reg. l. 2. c.
3. Athelredus.
de Genealog.

Reg. Ang. col. 359, &c. Polychron. l. 6. c. 9, 10, 11. Henry Knighton de Eventibus Ang. l. 1. c. 2. Mat. Westm. Vigorn. Ingulphus, Huntingdon, Hoveden, Brom. Sim. Dunelm. wil. Thorn, Fab. Cant. Holinsh. Graft. Speed, Baker in his life, Osburn, Capgrave, Surin in the life of Dunstan, Spelman, concil. Mr. Seldens Malm. Clusum, l. 2. c. 11, 12, and others.

Kent, where they were presently taken by the Ilan-
ders and spoyled of all their goods; which king Ed-
gar being informed of, was so far incensed against
these Plunderers, that he spoyled them of all their
Goods, and deprived some of them of their lives;
Which Humingdon and Bromton thus record. *Rex Edga-
rus undecimo Anno Regni sui iussit pradari Insulam Te-
net, Quia jure Regalia spreverant: non ut hostis in-
saniens, sed ut Rex malo mala puniens.* The same
year as (f) Malmesbury, (g) Ingulphus and [h] others
write, king Edgar, by his regal Charter, caused the
secular Priests to be removed out of the Monastery
of Malmesbury and introducing Monks in their pla-
ces, restored to them the Lands and Possessions of the
monastery, which the secular Priests formerly enjoy-
ed and had leased out; & that upon a full hearing before
the **Wise-men, Bishops & others in his presence**, most
likely in a Parliamentary Council, as this clause in his
Charter intimates. *Hac a predictis accommodata
Clericis, a consensu possessa est Edebnoto: sed supersti-
tiosa, sub illicque ejus disceptatione a Sapientibus meis au-
dita, et conflictatione illius mendosa ab eisdem me pra-
sente convicta, Monasteriali a me readata est usui.* If
the Council of Winchester (hereafter cited Anno 975.)
was held in King Edgars life time, as (h) some af-
firm, most probably this debate here mentioned touch-
ing these Lands, was held in and before that Council,
and this Charter therein made and ratified with the
subscriptions of the Kings, Arch-bishops, Bishops, Ab-
bots and Dukes thereto annexed, according to the

Tyrannical Acts, recorded by Malmesbury, Fox, Speed, and others; yet repenting of these his youthfull, lustfull Vices, he proved such a just and prudent King, that [1] our Historians of elder and later ages give these large Encomiums of his Justice, Prudence, Piety, Vertues, and politike Government: worthy perpetual memory and imitation. So excellent was he in Justice, So sharp was he in correction of Vices, as well in his Magistrates, Officers, and other Subjects; that never before his days was less felony by Robbers, nor less extortion or Bribery by false Officers; such as were wicked he kept under, them that were Rebels he repulsed, the godly he maintained, and the just and modest he loved; the learned and virtuous he encouraged: He would suffer no man of what degree or quality soever he were to elude or violate his Laws without condigne punishment. In his time there was neither any private Pilferer, nor publike Thief, but he that in stealing other mens Goods, would venture and suffer (as he was sure) the loss of his own wil, Goods, and Life. He was no respecter of persons in judgement; but judged every man according to the quantity of his Offence, and quality of his person. He united all the Nations under him, which were divers, by the Covenant and Obligation of one Law: Governing them all with such Justice, Equity, Integrity and Peace, that he was styled *Pax Rex*, or *Cogatus Pacificus*, the peaceable King. In his days, nor Torments, nor Gibbets, nor Exile, nor banishment were so much feared, as the offending of so good and gracious a King. He built and endowed no lesse than 48 Monasteries, and restored many more, endowing them with large possessions, privileges, (out of Piety and Devotion, as these times reputed it) & was a great lover, promoter of the vertuous and learned Clergy, and suppressor of the vicious and scandalous. There was scarce one year throughout all his reign wherein he did not some great and memorable necessary thing for the good of his Country and people, the honour of God, and advancement of

Religion. All which made him so honoured and beloved by his Subjects at home, so far dreaded by his Enemies abroad; that *Nullas Domesticorum insidias, nullum exterminium alienorum sensit*: He never felt any homebred treachery, or forein invasion, but reigned peaceably all his days, without war or bloodshed, which none of his Predecessors ever did. He was so far from tollerating any violence or rapine in men towards each other, that he commanded all the Wolves and ravenous Beasts, greedy of blood, to be destroyed throughout his Dominions: And such an Enemy was he to Drunkenness (the Mother of Vices, Murders Quarrels, Thefts,) wherewith the Danes had much infected the English, that to prevent and redress it, he caused Pins to be set in every Cup, prohibiting by severe Laws and Penalties, that none should force others to drink, nor yet drink below those Pins, in that moderate proportion which he prescribed them. Among other his Politick deeds, for the peace and safeguard of his Realm, against pillaging Pirates, and Forein Invaders, he had always in readiness 3600 (as most) or 4800 strong Ships of War (as others record) to secure the Seas in the Summer season, which he divided into three Squadrons or Fleets; whereof he placed 1200 in the East Seas to guard them; 1200 in the South Seas; 1200 in the West Seas, (and 1200 in the North Seas, as some write) to prevent Piracies, and repulse the invasion of Forein Enemies. These Ships immediately after Easter met together every year at their several places of Rendezvous, wherewith the King sailed round about the Island and Sea-coasts, with a great force, to the terror of Foreiners, and exercising of his own subjects, sayling with the Eastern Navy to the Western parts of the Island, and then sending them back with the Western Fleet to the Northern Coasts, and then sayling with the Northern Fleet to the South; plus scilicet explorator, ne quid Pirata turbarent. After his return from the Sea, in the winter and Spring, he used to ride in Progress through all the Counties of the Realm, diligently to search and inquire

how his Laws, Statutes, Ordinances were kept and observed by his Princes, Great Men, and Officers, lest the Poorer sort of people should suffer prejudice, or be oppressed by the Greater & Richer: And whether his Judges or Justices judged uprightly, according to the Laws, or injured any through *Bitter Malice, or Partiality, Violati Juris severus Ultor*, being a severe Revenger of his violated Laws, sparing neither Rich nor Poor, but judging him justly according to the quality of his transgression. In hoc Jultitix in illo fortitudinis, in utroque Republicæ & Regni utilitatibus consulens, as *William of Malmesbury*, and *Flor. of Worcester* report of him. Et ideo tempore suo latrones nulli fuerunt, nec aliquis qui Guerram vel turbationem in Regno movere audebat. Merito ergo non infirma inter Anglos fama est; nullum nec ejus, nec superioris ætatis Regem in Anglia recto & æquabili judicio *Edgaro* comparandum: He being Flos et Decus antecessorum Regum, non minus memorabilis *Anglis*, quam *Romulus Romanis*, *Cyrus Persis*, *Alex. Macedoniis*, *Arfaces Parthis*, *Carolus Magnus Francis*, as *Malmesbury*, *Abbot Ebelred*, *Florentius Vigorniensis*, *Simeon Dunelmensis*, *Henry Huntindon*, *Matthew Westminster*, and others record of him, who are much more copious in his praises. [k] Mr. Fox closeth up his Encomiums of him with this Speech: As I see many things in this worthy Prince to be commended; so this one thing in him I cannot but lament, to see him like a Phoenix to fly alone, that of all his Posterity so few there be that seek to keep him company.

Towards the end of his Reign the *Welshmen* moving some rebellion, he thereupon assembled a mighty Army to suppress and prevent it; wherewith he entering into the Country of *Glamorgan*, sharply punished the Ringleaders thereof: But his Soldiers doing great harm in plundering the Country, lading themselves

* Polychron. l. 6. c. 11.
[k] Acts and Mon. vol. 3. p. 200.

[l] Polych. l. 6. c. 11. f. 239.
Chron. Joh. Bromt. col. 870. Speeds History, p. 406.

with spoils; the King out of his bounty, commanded them to restore to the People all the spoils they had gotten; and more especially St. Eilatus Bell, that was hanged about an Horses neck; whereby he purchased singular love and honor from the Inhabitants. At length after he had reigned thus, 16 years and two months in great tranquillity and honor *totum regnum sanctis legibus strenue gubernantem*, as

(m) *Histor. Novorum. l. 1. p. 1.*

(m) *Badmerus* relates of him, he died happily on Tuesday the 8 of July, Anno 975. *Nec potuit male mori qui bene vixerat; qui tot Ecclesias Deo fundaverat, qui tot bona perennia brevi tempore statuerat*, as (n) *Henry Arch-Deacon of Huntingdon* observes, who bestowed this honourable Epitaph on him; remembered also by (o) others.

(n) *Histor. l. 5. p. 356.*

(o) *Io. Brom. Chron. col. 870. Fox Acts and Monuments vol. 1. p. 202.*

*Auctor opum, vindex scelerum, largitor honorum;
Sceptifer Edgarus Regna superna petis.
Hic aliter Solomoni, legum Water Orbis Pacis;
Quod caruit bellis, claruit inde magis.
Templa Deo Templis Monachos dedit agros;
Perquirit lapsum, iussitque locum.
Novi enim Regno verum perquirere falso,
Immensum modico, perpetuumque brevi.*

* Immediately after his death, *Res et spes Anglo- rum retro sublatae sunt*, totius Regni status est perturbatus; et post tempus laceritiae quod illius tempore vigeat pacifice, caput tribulatio undique advenire, as *Malmesbury, Wigorniensis, Hoveden, Simeon Dunelmensis*, and *Bromton* observe: such an incomparable loss was the death of so just, pious, and prudent a King to the whole Nation, qui juvenutis vitia, postea magnis virtutibus delevit, when most others do quite contrary.

(p) King

[p] King Edgar at the time of his decease leaving behind him two Sons by two venters, Edward his eldest Son by Queen Ethelfleda his first Wife, then but 12 years old, and Ethelred his second Son by his second Queen Elfreda, then not much above 7. years of age; There arose a great contention amongst the Nobles of the Realm about choosing of a new King. For Queen Elfreda, with Alferus Duke of Mercia and many other Nobles, siding with the married Secular Priests against the Monkish Clergy, combined to advance young Ethelred, electing him unanimously for their King, disavowing Edward as illegitimate, and begotten of an harlot before marriage; as Malmesbury de Gestis Regum, l. 2. c. 8. Osburn in the life of Dunstan, Nicholas Trivet, Johannis Parisiensis, Vincentius, Antoninus, Mat. Parker in the Life of Archbishop Dunstan, Mr. Fox and others repute him: though Ingulphus, Huntindon, Hoveden, Mat: Westminster, Florentius Wigornensis, Bromton, Abbot Ethelred, Simeon Dunelmensis, Radulphus Cistrensis, and the generality of our modern Historians, repute him Edgars lawfull Son, and right heir to the Crown: Whereupon the most of the Nobles elected him to succeed unto his Father: The two Archbishops, Dunstan, and Oswald, with all the Bishops, Abbots, and Clergy of the Monkish faction, holding their new-gotten States dangerous, and their footing unsure, if in the nonage of the King, their Opposites should rule all under him, as they imagined they would, if Ethelred were elected by them; thereupon abetted the Title of Edward, as altogether wrought to their mould and treading in his Fathers footsteps, lawfully begotten in the nuptial bed of Queen Ethelfleda, right heir to his Father, and by him designed to succeed him. Their claimes thus banded amongst the Nobles, Dunstan and Oswald foreseeing the danger, prudently assembled all the Bishops, Abbots, and Nobles together in a Great Council, to debate their rights and settle the ti-

Anno 975.
[p] Ingulphi
Historia, p. 889.
will: Malmsh.
De Gestis Re-
gum, l. 2. c. 9.
Mat. Westm.
Vigorniensis,
Simeon Dunel-
mensis, Huntin-
don, Hoveden,
Anno 975, 976.
Chron Ioban:
Bromton, col.
871, 872. Hen-
ry de Knyghton
de Eventibus
Angliae, l. 1. c. 1.
Col. 2313.
Eadmerus Hist.
Novorum, l. 1.
p. 1. Polychro-
nicon, l. 6. c. 12.
Fabian, Cax-
ton, Grafton,
Holinshed,
Speed, in the
Lives of Edgar
and Edward.
Fox Acts and
Monuments,
Vol. 1. p. 203.
204. Mat. Par-
ker, in Archbi-
shop Dunstons
life. Antonini
Chron. pars 2.
Tit. 16.
Proposit. 5, 6, 8.

tle; Where Archbishop *Dunstan* (as some write) coming in with his Cro's and Banner, *dum consecrationis ejus tempore nonnulli Patris Optimates resistere voluissent*; not staying for further debating *de Jure*, presented Prince *Edward* in the midit of them *de Facto*, for their *Lawfull King*, as his Father had declared him at his death. Upon which, the *Major part of the Council*, being Clergymen, *elected, anointed and consecrated Edward for their King* *Dubiusdam Optimatum murmurantibus*, some of the Nobles of the contrary party murmuring at it, especially *Queen Elfrida*, who thought to advance her young Son to the Throne, that so she might rule all things, and reign under the colour of his name, as *Dunstan* and the Monkish Clergy did under the colour of King *Edwards*, whose Counsels and admonitions he diligently followed in all things, and judgements acted by him.

[q] *Malsbur. De Gestis Regum. l. 2. c. 9. p. 61. Mat. west. controversies, tumults and civil Warrs between the Monkish min. wigorniensis, Ingulphus, Simeon, Dunelmensis, Huntingdon, Hoveden, and the Nobles, That they were unjustly expelled out of their Bromton, Ann. 975. Osburne, Capgrave, Mat. Parker, Godwin in the Life of Dunstan, Baronius & Spondanus, Annal. Eccl. An. 975. n. 12. Suvius Concil. Tom. 2. Fox Acts and Monuments, vol. 1. p. 202, 203, 204, 205.* During the *Interregnum*, and banding of these two parties about the right of the Crown, and immediately after *Edwards* coronation, [q] there arose great *controversies, tumults and civil Warrs between the Monkish Clergy, and married Secular Priests, and the Nobles siding with both parties.* The married Priests presently upon *Edgars* death, complained to *Queen Elfrida, Elfore, don, Hoveden, and the Nobles, That they were unjustly expelled out of their Churches by the Monks and their prevailing party; alleging, that it would be a very great and miserable dishonour to the Nation, and shame to them; ut novus advena verum putari, qui veterum habitationem concessisset: nec alicui probo homini, qui sibi idem timere possit quod a suis prajudicio accedisse cerneret.* Hereupon many clamours and tumults arising among the people, they went to Archbishop *Dunstan*; *Præcipue Proceribus, ut Latrosum est, succlamantibus prajudicium, &c. but especially to the Nobles, as the manner of Laymen is, crying out unto them; that the Secular Clergy were prejudged,*

judged, and suffered unjustly, being expelled their ancient possessions without cause: that they ought to be more mildly dealt with, and restored to their Rights. Dunstan giving a deaf ear to these their just complaints, many of the Princes and Nobles thereupon, in a tumultuous manner, expelled the Abbots and Monks out of the Monasteries wherein King Edgar had placed them, and brought in the married Clerks with their wives in their places, as at first. Among others, Alfre Earl of Mercia, gathering great forces, and using much insolence, overturned almost all the Monasteries King Edgar and Bishop Ethelwold had built in the Province of Mercia; *quorundam Potentium assensu et factione*, placing married Priests in them. This they did *magnis occultati muneribus* by the married Clergy, as Hoveden, Simeon Dunelmensis, Florentius Wigorniensis, and our Monkish Historians attest. To which [r] Abbot Ingulphus subjoyns. *Cujus (Regis Edwardi) sancta simplicitate et innocentia tam abusa est factio Tyrannorum, per Regine favorem et potentiam præcipue roborata; quod per Merciam Monachis de quibusdam Monasteriis ejectis, Clerici sunt inducti: Qui statim Monasteriorum maneria Ducibus terræ distribuebant, ut sic in suas partes obligati eos contra Monachos defensarent. Tunc de Monasterio Eveshamensi Monachis expulsis, Clerici fuerunt introducti; Terræque Tyranni de terris Ecclesiæ præmiati sunt: quibus Regina cum novercali nequitia stans cum Clericis, in Regis opprobrium favebat. Cum Monachis Rex et sancti Episcopi persistebant: Sed Tyranni fulti Regine favore et potentia super Monachos triumphabant.* The Monks on the contrary to secure their interest (by like Bribes and means as is most probable, though our Monkish Historians conceal it) stirred up Ethelwin Duke of the East-English, and Brihnorth Earl of Essex, (men of great dread and power) to appear in their quarrel and resist the opposite party. *Qui in Synodo constituti;* who assembled together in a Synod

Proposit. 2. 4.

[r] Historia, p. p. 889. See Fox Acts and Mon. Vol. I. p. 203, 204.

Proposit. 6.

or Council for that end; protested, *That they would never indure the Monks should be cast out of the Realm, who held up all Religion in the Kingdom.* After which, they raised a mighty Army, defending with great valour the Monasteries of the Eastern English, keeping the Monks in possession of them. This fire between the Monks and married Priests thus blown from a spark to a flame, was feared to mount higher, if not timely quenched. Wherefore by mediation of Wise men, arms being laid aside, the cause was referred to be heard and decided between them in a Great Council of the whole Kingdom. For which end there was a famous Council summoned and held at Winchester; (which some Historians antedate in *Edgars* life, others place in the *Interregnum*, after his death; but the series of Story, and most judicious Antiquaries, evince it to be after *Edwards* Coronation, Anno 975.) In this Great Council, the King and Archbishop *Dunstan* sitting in their Thrones, as chief Judges of the Controverſie, in the East-End of the Hall of the Refectory of Winchester Abby near the wall, (wherein there was a Crucifix immured just behind them,) *Duces cum tortus Regni spagnatibus;* the Dukes with all the Nobles of the Realm, and the expelled married Clerks standing on the left side of the Refectory, and pleading for themselves, that they might be restored; and *Oswald* Archbishop of York, *Athelwold* Bishop of Winchester, with the Monks standing all together on the right side of the Hall, pleading for their continuance in their Churches (as the Author of the old Manuscript Chronicle of Winchester Abby relates, though he misdates the time of this Council, as held Anno 968.) After much debate, the Nobles of the Realm fearing they should be overcome by dispute (say the Monks) promising reformation of life on the Clergies behalf, most humbly intreated the King and Archbishop. That they might be readmitted into Monasteries, out of which they had been ejected. With whose prayers, tears & sighs

signs the most merciful King being much moved, was in a great streight, ruminating in his mind, what he should doe in this business. At last purposing, and being about to grant pardon to the Clerks, upon hope of their amendment, and to give them leave to return to the Monasteries and Churches whence they had been expelled; When he was ready to pronounce this his definitive Sentence; there was this divine Voice uttered, by the Crucifix in the Wall, *Cum plurimum iam suffragis de Presbyteris restituendis decernebatur*, as *Matthew Parker* relates it; *Abut ut hoc fiat, &c.* God forbid that this should be done; God forbid it should be done; You have judged well once, you would change again not well. Which articulate voice only the King and Archbishop who were the Judges of the cause, heard, if the *Chronicle of Winchester* may be credited, when as another Monk relates, it was heard by all present; At which voice they being both astonied, fell to the ground on their faces; but all the rest hearing only the sound of the Voice as of a great Thunder, fell down flat to the Earth very much affrighted. Some write, that both sides by *Dunstan's* policy appealed to the resolution of the Crucifix in this case, in which *Dunstan* had placed a man with a Trunk in the wall behind the Image, who uttered this voice in and by the mouth of the Rood: which is most probable. Soon after, the King and *Dunstan* heard this second voice from the Crucifix, *Arise, be not afraid, because this day Righteousnesse and Peace have kissed each other in the Monks.* In memory of this cheating Oracle and Monkish fable, (of which *Huntingdon*, *Hoveden*, *Wigorniensis*, *Ranulfus Cistrensis*, *Fabian*, and other old Monastical Historians make no mention, and *Malmshury* slightly relates it as *An hearsay*) the Monks of *Winchester* ingraued these Verses over the head of this Crucifix in their Refectory.

*Humano more Crux præsens edidit ore ;
Cælestis effata qua prospicis hic subarata.*

Proposit. 5, 6.

Anno 977.

[f] Wigorn.

An. 977. p.

360. Roger

Hoveden An-
nal. pars prior,

p. 425. Joh.

Bromt. Chron.

col. 870. Sim.

Duuelm. Hist.

de Gest. Reg.

col. 160. An-

tiqu. Eccles.

Brit. p. 56.

Spelm. Concil.

p. 497.

[t] Malmesb.

de Gest. Reg.

Cleve) was pur-

posely called the

same year, 977.

to

Angl. l. 2. c. 9.

end the long

continued

Controversie

between the

Mat. westmin.

An. 975. Vigornien-

sis, Simeon Dun-

elmensis, Hat-

indon, Hoveden,

Bromt. An-

no 975. Gervasi-

us, Osburn, Cap-

grave, Matthew

writing the words forced under this Distick, as then uttered by the Crucifix, which asserted before all, That Dunstons way was true. Wherewith the Clerks and their Abettors were quite confounded, and put to silence. *Sed adhuc non sedatis animis*, &c. But the Nobles and Clerks minds being not as yet quieted by this Oracle (a clear evidence they suspected it as counterfeit) our Historians inform us, there were three more great Councils soon after held to settle this Controversie between the married Priests and Monks. The first at Kerling, Kering, or Cerding, or Kirking, as it is variously stiled, Anno 977. which (f) Wigorn. and Hoveden stile **Spagna Synodus**, without recording what was done therein. Sir Henry Spelman out of an old Saxon Note, calls it **A great Council**, affirms it was held after Easter, and that Sideman Bishop of Devonshire died in it. That King Edward and the Archbishop therein ordained; That every man should goe in pilgrimage to the Church of St. Mary at Abendune out of Devotion. And Matthew Parker Archbishop of Canterbury, in the life of Dunstan, superaddes: *Dunstanus ibi cum Monachorum labenti conditioni succurrere voluit, nihil profecit, Itaque hoc dissoluto Concilio, aliud in Regia Villa Wilteris quæ Calne vulgo appellatur coegit.*

This Great Council held at [t] Calne (some stile it de Gest. Reg. Cleve) was purposedly called the same year, 977. to end the long continued Controversie between the

An. 975. Vigornien-

sis, Simeon Dun-

elmensis, Hat-

indon, Hoveden,

Bromt. An-

no 975. Gervasi-

us, Osburn, Cap-

grave, Matthew

Parker in the life of King Edward, Fox Acts and Monuments, vol. 2. p. 204, 205.

Speeds History, p. 411, 412. Baronius, & Spondanus An. 977, n. 2. Spelm. Concil.

P. 494, 495. Camdens Britannia, p. 243.

Monks

87

Monks and married Priests, which the feigned Oracle of the Crucifix at *Winchester*, and the Council of *Kerding* could not determine. **All the Senators and** *Proposit. 6.*
Peoples of England sitting together at this Council
 in an Upper room (the King being absent by reason of his tender age or sickness) the business being debated with great conflict and controverſie ; and the strongest wall of the Monkish Church, Archbishop *Dunstan*, being assaulted with the Darts of many revilings, remained unshaken. The Disputants of both parties and orders defending their sides with greatest industry, in the midst of the dispute, the whole Floor, with the Ralters and Beams of the Room wherein they disputed suddenly brake in peeces, and fell to the ground, with all the people in it, except *Dunstan*, who escaped without any harm, standing firm on a beam that remained, of which he took hold-fast ; the rest being either slain outright, or very much hurt and bruised with the fall, so as they languished ever after, hardly escaping present death. This *miracle* (as our Monkish Authors stile it) gave peace to Archbishop *Dunstan* from the assaults of the *English* Clerks, and others, who thereupon from thenceforth submitted to his sentence and judgement, if *William* of *Malmesbury*, and *Mat. Westminster* may be credited; Whereas *Florentius Wigorniensis*, *John Bromton*, and others out of them, assure us; that there was not long after another Parliamentary Synod or Assembly held at *Ambresbery*, upon the same occasion, without recording the Proceedings or Event thereof. Some conjecture that this fall was only a fiction of the Monkish VVriters, to adde reputation to their languishing cause, as well as that of the Crucifix Speech forecited. Others conceive, it was wrought by *Dunstans* sorcery, or Policy. Others, that it was casual, by reason of the weight of the People. But *Henry Huntindon Hist.* l. 2. p. 357. *Bromton*, col. 876. and Sir *Henry Spelman* out of them, p. 496. record,

T

That

Proposit. 8.

That this fall of the Nobles at *Calne*, was (not a Divine Judgement on them for their Opposition against, and injury to the Monks, as some interpreted it, but) *scilicet* *undelict* *Dei excelsi* *fuit*. *quod* *Probstione et Interfectione Regis sui, ab amore Dei Casuri essent, et diversis gentibus digna contritione conferendi*; as they were soon after broke in pieces by the invading conquering *Danes* and *Normans*: And whether the late violent falls and ruptures of our Parliaments and Nobles portend not the like fate to *England*, by some other forein Invasions for the like Treachery, Apostacy, Regicide, or far worse, let those who are guiltiest of it, and others determine at their leislures.

Anno 978.

[u] Matt.

VWestm. VVi-

gorn. Simeon

Dunelm. Hun-

tind. Hoveden,

Radul. de Dice.

Ethelr. Bromt.

An. 977, 978.

Malmesbury

de Gest. Reg.

t. 8. c. 2. Po-

lych. l. 6. c. 13.

Antonius

Chron. pars 2.

Fabian, Cax-

ton, Holinshed,

Grafton,

Speed, Fox

and others in

the life of King

Edward.

King [u] *Edward* imitating the footsteps of his Fathers Religion and Piety, was so circumvented by the flattering speeches of his Mother-in-law Queen *Elfrieda*, that although she opposed his Title, Election, Coronation, all she could, to advance her own Son to the Crown: yet retaining only the name of a king to himself, he soon after permitted her and his Brother *Ethelred*, his Competitor, to order all affairs of the Realm as they pleased. Whereupon (as the Chronicle of *Bromton* relates) she began to plot how to dethrone this Man of God King *Edward*, and advance her own Son *Ethelred* to the Throne; Which when she had a long time meditated upon, she opened the Secrets of her heart to some of her chief Counsellours, advising with them concerning it, and earnestly intreating, yea conjuring them to assent to her therein, and to find out some means to effect it; *Cui protenus in necem illius omnes consenserunt*, who all forthwith consented to his Murder, and contrived how they might most speedily accomplish it by some fraudulent device, which they soon after executed in this manner.

King *Edward* hunting for his disport in the Forest near *Warbam*, hearing that his Brother *Ethelred* (whom

whom he intirely loved) was near that place, residing then with his Mother at *Corph-Castle*,) some stile it *Cornesgate*) rode thither to visit him with very few attendants, who either casually, or of set purpose following behind him, sporting in the way, he came alone to the *Castle gate*. *Queen Elfrida* who had a long time waited for such an opportunity; being informed thereof, went presently to meet him with her bloody Assassinate, and welcoming him with flattering Speeches, and a pleasant countenance, importuned him to lodge there that night, which offer he with thanks refused, saying he desired only to see and speak with his brother, but would not alight from his horse: Whereupon she commanded a Cup of Wine to be speedily brought him to drink, appointing one of her boldest Souldiers to kill him whiles he was drinking: VVho kissing the king, like another *Judas*, under a pretext of love, to take away all suspicion, so soon as the Cup was at his mouth, stabbed him presently into the Bowels with a knife. *King Edward* feeling himself wounded, set spurs to his Horse, thinking to escape to his own faithfull followers; but the wound being mortal, he fell from his Horse dead, and one of his feet hanging in the Stirrop, he was dragged up and down through the Mire and Fields, and at last left there dead near *Cors Gate*. VVhich his wicked Stepmother hearing of, commanded her most wicked Servant to drag him by the Heels like a beatt, and throw him into a little Cottage hard by, that the fact might not be discovered. After which she commanded his Corps to be privily taken from thence, lest this her most execrable work of darkness should be discovered, and buried in an obscure bushy morish place, where it should no more be found by any. Most of our Historians write, that he was obscurely buried at *VVeareham*, without any Royal State; *Ac si eum Corpore pariter & Memoriam sepellissent, invidentes ei sepulchrum, cui vltimo*

intiderunt decus Regium; So Malmshury; or as Matthew Westminster delicates on it, *Inuidebant enim mortuo Ecclesiasticam concedere Sepulturam. Cui videtur decus Regium auferebant.* And not content herewith, they made an edict. than which nothing could be more cruel; *That no man should lament or speak of his death, thinking thereby utterly to delete his memory.* But contrary to their expectation, God by a supernatural light from heaven shining on the place, and sundry Miracles there wrought (if our Monkish Historians may bee credited) frustrated this design. For though the Queen and her Complices out of their transcendent malice (which O that some of late times had not overmuch imitated,) *Inimicitias quas viventi ingesserunt in mortuum protelantes, sepelierunt eum sine Regio honore apud Warham, ut sicut vitam ejus extingu- rant ita et nomen ejus extinguerent: hic vero comper- tum est contra divinam providentiam non sufficere pra- sum cor hominis et inscrutabile: Quem enim perfidiis terris abjecerant, Deus caelo gloriose suscepit, et memoria aeterna insignivit eum Dominus. cujus mentionem Proditores obnubulare studuerant.* But mark the sad sequel of this prodigious Regicide, *Proditione Gentis suae perfida,* thus registred by [x] Henry Huntindon, an impartial Historian. *Inde Dominus iterum ad iram provocatus est, et plus solito irritatus, Genti pessima malum inextri- cabile conferre cogitavit, et quod facere paraverat non distulit. Veneruntque Dant, et operuerunt Angliam quasi nubes caeli.* To which [y] William of Malmshu- ry subjoyns. *Creditumque et celebriter vulgatum, quod 2. c. 9. p. 61. propter Elfrida in Edwardum insolentiam multo post tempore tota patria servitutem intremisset Barba- ricam.* Take the summe of his Reign, Murther, Saint- ship in these words of *Abbot Ethelred. *Translato ad caelestia Regna Rege Eadgaro, in reano terreno filius ejus Edwardus successit: Qui iniuste ab impiis interfectus, tum ob vite sanctitatem, tum ob mortis acerbitatem San- ctus*

Proposit. 8.

(x) Histor. l. 5.
p. 357.

[y] De Gestis
Regum Ang. l. 1.
p. 61.

* De Genealog.
Reg. Anglor.
p. 362.

at *Pomen et Apertum*. Deo donante promeruit: being afterward translated to *Shaftsbury*, and there honourably enshrined.

King *Edward* being thus treacherously murdered on the 17th day of *April*, Anno 978. when he had reigned only 3. years and 8. moneths by hereditary Succession, thereupon on the 8. of *May* 979. his half-brother [2] *Ethelred* was crowned King at *Kingston*, by both the Archbishops, *Dunstan* and *Oswald*, and ten Bishops more, in the presence of the Nobles, much against *Dunstan's* will. And although *Ethelred* so much lamented his Brothers murder, being then but a child of ten years old, not active to promote this Treacherous plot, and so detesting it, that his Mother *Elfrida* in a rage whipped him for it with candles for want of a rod, which made him abhor candles all his life; yet *Dunstan* full of a propheticall Spirit, at the very time of his Coronation told him, that he and his Posterity, together with the whole kingdom, should suffer grievous tribulation all his reign, using these words then unto him; *Because thou hast aspired to the Kingdom by the death of thy Brother, whom thy Mother murdered; therefore hear the word of the Lord; Thus saith the Lord: The Sword and Bloud shall not depart from thy House, nor from the Nation, but shall rage against thee all the days of thy Life, slaying thy seed, until thy Kingdom shall be translated to another Realm and Nation, whose Customs and Language that Nation over which thou reignest knoweth not; qui eos in ultimam redigat servitutem.* who shall reduce them into the extremest Bondage, for conspiring with thy ignominious Mother against the Bloud of thy Brother. Nei-ther shall thy sin, nor the sin of thy Mother, Nor the sin of those who were party to her wicked Counsell, that they might stretch out an hand against the Lords appointed to slay him, be expiated, but by a long Revenge, and much effusion of bloud.

Anno 979.

[2] *Ingulphi Historia* p. 889, 890. *Mat. Westm. Vig. & Sim. Dunl. An* 978, 979, &c. 1016. *Chren. Inhannis Bromton, col.* 877, 878. *will: Malmsbur. de Gestis Regum.* l. 2 c. 18. *Eadmerus Hist. Novorum, l. 1. p. 1.* *Hoveden Annal. pars prior.* p. 427. &c. *Hen. de Kaygh-ton de Eventibus Anglia, l. 1. c. 2. Polychron. l. 6. c. 12, 13.* *Caxton, Fabian, Holinshed, Grafton, Speed, Stow & others in the life of K. Ethelred. Radulphus de Uccelo Abbrev. Chron. col. 464*

Proposit. 3.

dingly came to pass; and let all others whom it concerns most nearly, with our whole English Nation now seriously reminde it. This Prophecie was presently after seconded, with a prodigious Cloud, spread and seen over all *England* sundry nights, which appeared sometimes bloody, other times fiery, and then changing it self into divers sorts of flashings and colours, vanished about the morning. The very next year following the barbarous *Danes* invaded *England*, burnt *Southampton*, killing and carrying away Prisoners almost all the Inhabitants thereof; after which they infested and wasted the Isle of *Teneth*, and City of *West-Chester*, invading *England* every year with new forces, til they had laid the whole kingdom desolate, expelled King *Ethelred*, with his Queen and Children, into foreign patts, and possessed themselves both of the Crown and Realm, as absolute Sovereigns.

And here, before I proceed further, I cannot but take special Notice of Gods admirable retaliating Justice inflicted upon some of our *Saxon* usurping Regicides and their Posterities, worthy our saddest contemplation.

[*] *King Edgar* (as I touched before) injuriously usurped upon his elder Brother King *Edwyn*; and by force of arms deprived him of half his Crown and kingdom at first, and of his whole Realm, if not life too, at last. But within few years after by Gods avenging hand, his best beloved eldest Son and heir, King *Edward*, to whom he bequeathed the Crown at his death, was first opposed in his Succession, and soon after most treacherously butchered by his own Queen and younger Son, who invaded the Crown by his slaughter. King *Edgar* treacherously slew Earl *Ethelwald*, (as you have read) to espouse his wife *Elfreda*, & Crown her for his best beloved Queen; who (no doubt) was consenting to, if not the contriver of his murder, as he was hunting in *Worel Forest*. And she to requite this murder, kills his

[*] See *Mat. westm. Malmsb. Huntindon, Hoveden, Ethelwerdus, Ingulphus, Wigorniensis, Simeon Dunelmensis, Bromton, Polychronicon, Hen. de Knyghton, Fabian, Speed, Holinshed, Grafton, Daniel in their lives.*

his own Son and heir King *Edward*, as he came from hunting in a Forest, not very far distant from the same place. *Elfre* Earl of *Mercia*, the Queens chief Counsellor and Instrument to murder and dethrone King *Edward*, (whom he stabbed to death with his own hands, as *Malmesbury* records,) though to expiate this crime, he soon after honourably translated his Corps from *Warham* to *Shaftsbury*-Minster; yet by Gods avenging wrath, about a year after his whole body was eaten up of Lice and Worms, so that he died most miserably. Queen *Alfrida* the chief Plotter of this murder, soon after the fact, was struck with such horror of conscience for this bloody Regicide, that to pacifie the pangs thereof, and expiate the guilt of his crying blood, she built two Monasteries at *Almesbury* and *Warwel*, and casting off her royal robes and State, entred into the later of them, where she afflicted herself with sackcloth, fasting, weeping, and severe penance unto the day of her death, bewailing this bloody crime all the remainder of her life. The whole English Nation, who were either consenters to, or overgreat connivers at their Sovereigns Murder (which they never publicly questioned nor revenged) were not only stricken, consumed with all sorts of Plagues and strange diseases, but uncessantly invaded, oppressed, spoiled, captivated, conquered, murdered, and almost quite extirpated by the barbarous *Danes*, who usurped the Sovereignty over them for three Generations, being made a spectacle of divine Justice both to Angels and Man. As for King *Ethelred* himself, though then an infant, he purchased nothing else by his Brothers blood, but a Crown of Thorns and Cares, living in perpetual warrs, cares, fears, wants, distresses, being crossed in all his designs, warrs by Land and Sea, contemned, deserted, and frequently betrayed by his own Counsellors, Nobles, Commanders, Souldiers, Subjects; forced out of the Realm with his Queen, children, by the conquering

ring Danes, all living like exiles in forein parts; dying at last neither lamented nor desired; Some of his Sons after his death were treacherously murdered, (as Edmund Ironside by his own Brother-in-law, and Ethelred his Son-in-law, Duke Edert) all his posterity renounced by the English, and the Danes preferred before them, banished, betrayed, devoted to ruine by the usurping Danes, and his own temporizing English Prelates and Nobles. Of which more fully hereafter. Take but this brief Character of his unhappy reign out of [a] William of Malmsbury, and [b] Henry de Knyghton; Ethelredus post occisionem fratris sui Edwardi in Regem levatus 38. annis regnum potius obsidit, quam rexit. Nam vita sua cursus sœvus et infestus fuit; in principio, miser; in medio et fine, turpis et reprobus. Iste tenuit Regnum in magna angustia: **Pes mirum, quia sic felonice et insulse intrusus est in Regnum, Rex suorum perfidia Ducum avito ex terris solio, et opis egens aliena, in cujus manu aliorum solebat salus pendere.** E Normannia accerctus Londoniæ agebat propter proditores, nunquam procedens, ubi animam laboribus et miseris natam efflavit. Post cujus mortem **Proceres Regni, cum Clero stirpem ejus abhorrentes,** Canutum recognoverunt Regem suum fore. All which calamities fell upon these Regicides, Traytors, and the whole English Nation, as our Historians observe, for the murder of their lawfull Sovereign. And have we not all now just cause to fear the very like, or some sorer Judgements for the selfsame crying Sin, and other transcendent, bloody, traiterous violences, oppressions of all kinds, far exceeding this, and all others in former ages? But to proceed from these Generals, to the most observable particulars during his reign.

[a] De Gestis
Regum, l. 2. c.
10.

[b] De Even-
tibus Angliæ,
l. 1. c. 2.

Anno 980. Anno Dom. 980. being the second year of King Ethelreds reign, the [c] Danes began their invasion and
[c] Mat. west.
Malmsbury,
Ingulphus, Huntindon, Hoveden, Simeon Dupelm. Bromton, wigorn. Radulphus de Diceto, Polychron. Aniqu. Eccles. Brit. Fox, Holinsbed, Grafton, Speed.

perse.

persecution of the English, waſting, depopulating with fire and ſword *Southampton, Cheſter, the Iſle of Teueth, Cornwall, Devonſhire*, and other places, continuing their depredations ſundry years alter, till they became Lords and Maſters both of the Crown and Realm. All our Hiſtorians record, that the ſins of the Engliſh Nation, (eſpecially their Treason and Treachery againſt their innocent murdered Sovereign) were the original cauſe of this Daniſh invaſion, and moſt fatal Judgement: to which Biſhop [d] Lupus in his Oration, ſubjoyns theſe other ſins, pertinent to my Theam, of which I fear our Nation is now far more guilty than their Anceſtors in that age: *Eceleſie vaſtantur, ordo Clericalis ludibrio habetur et contempni; ima plebs proditorie è regno ſumpto pretio venundatur, infantes ab ipsis incurabilis ad miſeriam ſervitutem ſumpti et redacti ſunt, omniſque benignitas et eleemoſyna perit. Ipsi denique liberi abſta libertate ſunt, et in ſervili conditione conſtituti, bonis magnis parvis laboribus aut aliunde conceſſis, uti prohibentur. Et quia hac gens, perſurtis, Mendaciis Juramenti, Fidei, Federum atque Pignorum fractionibus crebris, homicidio, furto, et quæ ad Rempublicam labefactandam ſumma ſunt Proditione, falſo atque Technis vaſerrimis in ipſos Domiuos atque Heros multifariam deliquit, cujus fuit indicium, Edwardi regis ipsis hoſtibus traditio, &c.*

The external cauſes principally inviring, encouraging the Danes to this invaſion, as (e) Matthew Parker, and (f) Mr. Fox conjecture, were theſe: *Quod à ſegnibus et torpentibus Monachis Regni facultates eſſent abſorptæ; auctaque indies Dacorum vis ab Anglorum ſub Monachis redactorum ignaviam, et civilia orta multa diſcrimina; quæ Dacos efferarunt victores.* And that the Danes perceiving the diſcords that were then in the Realm, and the hearts of the Subject to be withdrawn from, and ſet againſt their Sovereign, they thought it a ſufficient occaſion and advantage to forward their intentions, and omitting no time, arrived on the Coaſts of

[d] Mar. Parker, Antiqu. Eccl. Brit. p. 63, 64.

Propoſit. 1. 4. 8.

(e) Antiqu. Eccl. Brit. p. 62.

(f) Acts and Monuments, Vol. 1. p. 207. Speeds Hiſtory.

Kent, and spoiled the Country as aforesaid.

Anno 982.

About the year of our Lord 982. One *Leffi* bought lands in the *Iste* of *Ily* of *Adelwold* Bishop of *Winchester*, and not only denied to pay for them, but likewise forcibly disseised the Bishop of 3. Manors, *Burch*, *Undeles*, and *Kateringes*, which the Bishop recovered by Judgement of the *Earldermen*, and *Thames* in the WITENAGEMOTE (*Wittagemiot*) or Parliamentary

[g] *Ms. de O-*
peribus B. Edel-
woldi. Episco-
pi.

[h] *Titles of*
Honor, second
part. c. 5. sect.
6. p. 693.

* *Munda*,
Saxonice Pax
dicitur: sed et
Satisfactio, ut
hic, ni fallor,
interpretatur.

Proposit. 426,

Assembly of that age, thus reported by the antient (*g*) *Book of Ely*, and by (*h*) *Mr. Selden*, out of it.

Edicetur placitum apud *Londoniam*, quo cum *Duces*,
Principes, *Satrape*, *Rethores* et *Causidici* ex omni parte

confluxerant, beatus *Adelwoldus* præfatum *Leffium* in

jus protulit, et coram cunctis suam causam et injuri-

am, ac rapinam quam ipse *Leoffius* intulerat sanctæ

Ecclesiæ ex ordine patefecit. Qua re benè ac a-

pertè ab omnibus discussa, omnes Deo et beato

Æthelwaldo per judicium reddiderunt *Burch*, et *Un-*

deles, et *Kateringes*. Judicaverunt etiam ut *Leoffius*

Episcopo totum damnum suum suppleret, et * *Mun-*

dam suam redderet, de rapina verò Regis forisfactu-

ram emendaret, dato pretio genealogiæ suæ. Post

hæc infra octavum diem convenerunt iterum ad

Northamtune, et congregata ibi tota *Provincia*, five

Vicecomitatu, coram cunctis iterum causam supradi-

ctam patefecerunt. Qua patefacta ac declarata, ut

præjudicata erat apud *Londoniam*, judicaverunt et isti

apud *Northamtune*. Quo facto omnis populus cum

jurejurando in Christi Cruce reddiderunt Episcopo

quæ sua erant, scilicet, *Burch*, et *Undeles*, et *Katerin-*

ges. By which President it is apparent, 1. That Par-

liamentary Councils in that age held Pleas, and gave

judgements of Disseisins and Titles of Lands. 2.

That they had Lawyers to assist them, and plead

such cases before them. 3. That the Judgement gi-

ven in the Great Council at *London*, was confirmed,

recited, and executed in the County-Court held at

Nor-

Northampton, and possession of the Lands accordingly restored to the Bishop.

King [i] Ethelred being incensed against the Bishop Anno 986. of Rochester, Anno 983. as some, or 986. as others com- [i] Matthew pute it, besieged the City of Rochester for a long space; ^{Westm. An. 983, 986.} Whereupon Archbishop Dunstan commanded him to ^{Vigorn. and} give over the siege, lest he should provoke St. Andrew, ^{Sim. Dunelm.} Patron of that City, against him. The King notwithstanding continued his siege till he extorted one hundred pounds from the Bishop. Whereupon Dunstan ^{An. 986. Ingul- phi Hist. p. 890. vil. Mal- mesb. de Gestis Reg. l. 2. c. 10.} admiring at his covetousness, sent him this Message. ^{Hoveden, An- for an Apostle, covetousness before me, the evils which} Because thou hast preferred silver before God, Money be- ^{nal. pars prior, p. 427. Hun- tin- don Hist. l. 5.} fore an Apostle, covetousness before me, the evils which ^{p. 357. Chron.} the Lord hath denounced shall violently come upon thee. Upon which Matthew Westminister makes this observa- ^{Jo. Bromton, col. 878. Hen- ry de Knygh- ton de Eventu- bus Ang. l. 1. c. 2. col. 2515.} tion. Anno 986. Rex Anglorum Ethelredus qui pro- ^{Fox Afts and Monuments vol. 1. p. 207. Antiq. Eccles. Brit. p. 61.} hibente beato Dunstano Centum libras ab Episcopo Rosse- ^{Godwins Ca- talogue of Bi- shops p. 394. Speed p. 144.} ti extorserat, pro pace brevissima pensionem 16 millium ^{Propos. 2, 4.} librarum persolvere compulsus est. Which fell not out till the year 994. as himself and others record: Mal- mesbury refers it to the Tax of 10 thousand pounds, paid by him to the Danes. Anno 991. In this year 986. Alfric Duke of Mercians, son of Duke Alfere was banished England **crudeliter**, cruelly, without just cause, as Bromton recites, which made him afterwards prove treacherous to the King, he being one of those English, **quos nullis causis extantibus exheredabat Rex, et affecto crimine, opibus emungebat;** which Malmesbury taxeth him for. His oppression and injustice, being the chief causes of his miscarriage and expulsion by the Danes.

Anno 988. The Danes invading Wecedport, there- ^{An. 988, 991.} upon Goda Earl of Devonshire, Strenwild, a most valiant ^{[k] Mat. Westm. Vi- gorn. Hun- tin- don, Hoveden, Bromt. Speed, Holinsh. Fox, Grafion.} Knight, and many others in defence of their Native Country and Liberties, fought with them, and were slain by them. And Anno 891. Brithnoth the most va- liant Duke of the East English, and his forces, fought

a set battle with the invading Danes, who wasted Ipswich and the parts adjoyning: In which battel an innumerable multitude were slain on both sides,

[l] *Gerardus Antiq. Eccles. Brit. and Godwin in the life of Spricius.*

and this valiant Duke with many thousands of the English, in defence of their Country against these Invaders. After which, by the Counsel of [l] Syricius Archbishop of Canterbury, Duke Ethelward, Alfric, and other Nobles (assembled no doubt in a Parliametary Council, as Malmesbury his *Duces et Proceres*

Proposit. 1.

si quando in Concilium venissent, pars hic, pars illud eligerunt. &c. and Henry de Knyghton his *Proceres Regni, si quando ad Concilium congregati*, &c. import)

‘A Tribute of ten thousand pounds was given to the Danes, that they might desist from their frequen rapines, and slaughters of men, which they frequently exercised about the Sea-coasts, *pacemque firmam cum iis tenerent*, and might hold a firm peace with them. Some of our Historians stile this [m] *Infauftum Concilium*, an unlucky Council. Eadmerus (n) gives

[m] *Huntind. Hist. l. 5. p. 357. Chron. Io-han. Bromton, col. 879.*

this verdict of it. ‘*Regis desidia circum circa innotuit*, Et ideo extevorum cupiditas opes Anglorum quam mortes affectatis, hac & illac, per mare, terram invadere: & primo propinquas mari villas & urbes, deinde remotiores, ac demum totam Provinciam miserabili depopulatione devastare. Quibus cum ille

[n] *Hist. Norworum. l. 1. p. 1.*

Propos. 1, 5, 6, 2,

‘nimio pavore percussus, non armis occurrere, sed data pecunia pacem ab eis petere non erubisset, ipsi suscepto pretio in sua revertebantur, ut, numero suorum adaucto fortiores redirent, ac præmia iteratæ irruptionis multiplicata reciperent; Unde modo decem millia, modo sedecim millia, modo viginti quatuor millia, modo triginta millia librarum argenti consecuti sunt: omnia illis largient præfato Rege Edelredo. et gravi exactione totum Regnum

[o] *De Gestis Reg. Angl. l. 2. c. 10. p. 62.*

‘*opprimente*, (o) William of Malmesbury putteth this censure on it, and the unhappy consequence of it. ‘*Danis omnes portus infestantibus, & levitate pirati-*

ca ubique infestantibus, dum desciretur, ubi eis occurrere debent. **Decretum à Syriaco Archiepiscopo.** &c. ut repellerentur argento qui non poterunt ferro. Ita decem millia librarum soluta cupiditatem Danorum explevere. **Exemplum Infamiae et Viris indignum, libertatem pecunia redimere, quam ab infesto animo nulla violentia possit excutere.** Et tunc quidem palis per ab incuribus cessarunt, mox ubi vires otio resumpserunt, ad superiora rediunt. **Tantus timor Anglos invaserat, ut nihil de resistendo cogitarent.** Si qui antiquae gloriae memores obviare; & signa colligere tentassent, hostium multitudinem, & sociorum defectione destituebantur whereby they became Vassals and Tributaries to the insulting Danes. Cujus Siricii consilio in gestis Regum Pontif. l. 1. p. dixi **Eibredum Regem animi libertatem** Danis pretio vendicasse. Ut eorum pacem argento redimerent, quod ferro repellere posset, nisi corde careret. Unde **Impossibilis Tributi pensio imposita Angliae, fortunas provincialium ad solum usque destruxit.** (q) Hen. 7 Huntindon, and the (r) Chronicle of Bromton [q] Histor. l. 5. pass this verdict against, and deduce this memorable observation from this Tribute. **Edelredi Regis, Anno 13. Primo statuerunt Angli** (which intimates it to be decreed in a Parliamentary Council) **Concessit** **isto infesto Siricii Archiepiscopi, quod ipsi centum Dacis persolverent,** quatenus à rapinis & caede cessarent, & dederunt eis decem mille libras. **Hoc autem malum usque in hodiernum diem durabit, et diu, nisi Dei Pietas subveniat, durabit: Regibus namque nostris modo persolvimus, ex consuetudine quod Dacis persolvebatur ex inestimabili terrore.** To which Bromton, (s) Ranulphus Cestrensis, and (t) Henry de Kynghton immediately subjoyn. **Dacis Tributum annuum solvunt.** Primo anno 10 milia librarum, Secundo anno 16 milia librarum, Tertio anno 20 milia librarum, Quarto anno 24 milia, Quinto

(u) *Antiqu.
Eccles. Brit.
p. 64.*

(x) *Acts and
Mon. Vol. 1.
207.*

Proposit. 1. 4.

(y) *Page 415,
416.*

‘anno 40. millia librarum; donec tandem pecunia de-
‘ficiente iterum tenderent ad Rapinas. Et tunc
‘Northumbriam depredantes, et Londoniam obsiden-
‘ter, Coegerunt regem tributum dare. [u] *Mat.
Parker* Archbishop of Canterbury, thus censures this
ill advice of his Predecessor; *Siricius pacem Christianis
ab infidelibus Dacis 10. librarum millibus redemit, Ad
ignominiam sane, peneque perniciem totius Regni.*
(x) Mr. John Fox informs us, *That King Ethelred be-
ing glad to grant the Danes great sums of money for peace,
gave himself to polling of his Subjects, and disinheri-
ting them of their possessions; and caused them to re-
deem the same again with great sums of money; For that
he paid great Tributes to the Danes yearly, which
was called Danegelt. Which Tribute so increased, that
from the first Tribute of 10000 l. it was brought at last in
processe of 5. or 6. years, to 40000 l. The which yearly
Tribute (until the coming of St. Edward and after) was
levied of the people of the Land: Moreover, for lack of
justice, many Thieves, Rioters, and Bribers, were in the
land, with much misery and mischief. To which sorrow
moreover was joyued hunger and penury (besides a bloody
flux, feavers, mortality, murrain amongst cattel, &c.)
amongst the Commons, insomuch that every one of them
was constrained to pick and steal from others. So that what
for the pillage of the Danes, and what by inward Thieves
and Bribers, this Land was brought into great affliction:
Albeit the greatest cause of this affliction (as it seemeth
to me) is not so much to be imputed to the King as to
the dissention among the Lords themselves, who did
not agree one with another; but when they assembled
in Consultation together, either they did draw divers
wayes, or if any thing were agreed upon any matter of peace
between the parties, soon it was broken again; or else if any
good thing were devised for the prejudice of the Enemy, e-
ven the Danes were warned thereof by some of the same*
lates,

laces, That King Ethelred could not redress the evils occasioned by the prosperous Danes successes, who lay in the land like unto Grasshoppers, his strengths being small, and his Subjects affectionless. Therefore calling to counsell the Statelmen and Peers, demanded their Advice, *Proposit. 1, 6, 9.* what was best to be done. Some few of these professed the King their assistance, but more of them persuaded to a composition, whereof Siricius Archbishop of Canterbury was chief; and in fine, ten thousand pounds paid to the Danes for their departure. This golden mine once entred, was more eagerly digged into by those still-thirsting Danes, who finding the branch so beneficial at first, hoped the vein in following would prove farr more beneficial; and therefore, regardless of promise, the next year prepared themselves again for England, and with a great Fleet dispatched to Sea. The News whereof struck such terror into the English hearts, that despairing of hope, they accounted themselves the Bondslaves of Misyery, and were enforced to compound a peace with them, with the payment of 16000 pounds, which they at last mounted to 40000 (or 48000) pounds. till it emptied the Land of all her coin, the Kingdom of her Glozy, the Robustty of their Courage, the Commons of their Content, and the Sovereign of his wonted Respect and Observation. (A pattern of our age and times.) (z) Samuel Daniel gives *(x) A Collection of the History of England. London 1634.* us this Censure of this first unworthy heavy Tax: Ethelred in the end was fain, seeing he could not prevail with the sword, to assail them with money, and bought a peace for 10000 pounds, which God wot, proved after a very dear penny-worth to the Commonwealth: Shewing the seller thereof, how much was in his power, and the buyer, at how bad a rate, his necessity was to be served, and yet not sure of his bargain, longer than the Contractor would. Who having found the benefit of this market, raised the price thereof almost every year. And yet had not Ethelred what he paid for, the land in one part or other being never free from Spoil and invasion, but rather, were more oppressed both by the

the Dane, and by this Taxation, which was the first we find in our Annals laid upon the Kingdom, and with heavy grievance raised in a poor distressed State, continuing many Ages after the occasion was extinct; And in the end (though in ano her name) became the usual Supplement in the Dangers of the Kingdom, and the Occasions of Princes. And hereby Ethelred enlarged the means and desires of the Enemy, so that at length came Swaine King of Denmark, and Anlase King of Norway in person, as if likewise to receive him for committing outrage, and were both returned with great summs. And many years it was not ere Swaine returned again to raise new summs by new afflictions, and tormenting here this poor turmoiled people more than ever, receives a fee for bloodshed, to the sum of 48000 l. Granted in the General Assembly of the States at London; and a Peace, or rather paction of servitude concluded.

Proposition
1, 6, 9.

From these passages of our Historians it is most evident. 1. That this Tax of ten thousand pounds to the Danes, was the very first we find imposed on the English Nation, An. Domini 991, being never subject to any publike Civil Tax til then, for ought appears by History. 2. That this Tax was then imposed, and after reimposed, augmented on the Nation, only by common advice, grant, and consent of the King, Prelates, and Nobles assembled in a publike and Parliamentary Council. 3. That the original ground of granting it was base degenerate cowardise, or unmanly fear, and sluggishness, both in the King, Nobles, and People, and that by the very unlucky, imprudent, ill Council and advice, of an Archprelate, Siricius Archbishop of Canterbury being the principle adviser of it. 4ly. That it was originally paid, not to a lawfull Native Sovereign king, for defence of the Nation, but to a forein invading prevailing, victorious Danish Enemy, to purchase peace, and be quit of future troubles and Invasions. 5ly, That when this was first imposed, it was with a belief

belief and resolution never to reiterate or draw it again into custom or president in succeeding ages: and that only to satisfie a covetous invading Enemy for the present, without any thoughts that it would but strengthen or encourage their Enemies to new invasions and Tributes of this Nature, doubled and trebled on the Nation afterwards. Yet loe the contrary sad effects of this ill president & advice. 1. It is within few years after, several times drawn into Use and Custom again. 2. It is every time increased; augmented more than other, till it amounted to 4 times as much as it was at first. 3. It did but impoverish, weaken the English themselves, and much strengthen, encourage their Danish Enemies, and keep them still under their Vassalage. Whereas so much mony or less raised and spent for their own defence against the *Danes*, would probably have expulsed and beaten them home to their own Country with losse, and so have prevented their future invasion. 4ly After the *Danes* were quite expelled, and the occasion of this tax quite extinct, yet it then became a usual constant suppliment to our Kings for sundry ages after, upon all occasions, and was the only ground-work, pattern, of all the heavy publike Shipmony, Taxes, Aids, Impositions, Payments, under which the people have suffered in all succeeding ages, till this present. It is very dangerous therefore for Parliaments, or Statesmen, upon any extraordinary pressing Necessity, to lay any new Taxes, Tributes, or Imposts on the people, and most perillous for the people voluntarily to submit unto their payment; for being but once or twice granted, imposed, paid, and made a President, they are hardly ever abolished or conjured down again, but kept still on foot upon some pretext or other; yea oft doubled, trebled, and quadrupled by degrees, to the peoples grand oppression and undoing, as we may see by this old President of *Danegelt*; and the late sad Presidents of our new imposed

X

posed Excises, Imposts, *Monethly Contributions*, raised from 20 to 30, 40, 50, 60, 100, and 120 thousand pounds, amonth, and the Excise from thousands to Millions; and so continued for sundry years, without hope of end, or ease: the only blessed liberty which we have hitherto purchased with all our Prayers, Tears, Fasts, Counsels, Treasures, wars and whole Oceans of Christian blood. I shall therefore desire our late and present Tax-Masters, Excisers, if they be not now past all shame, sadly to consider, how much more burthensome and injurious they have been & are now to their native Christian English Brethren, than the Barbarous Pagan, forein invading *Danes* were then to their predecessors; in that they by their own authority, without any lawfull grant, or Act by a free Parliament, impose on their Brethrens exhausted purses and estates, no less than 60 or 120 thousand pounds every Moneth, besides Excises, Imposts, Customs, amounting to much more; when as the barbarous, forein *Danes* exacted of them, only by their own common consent in free Parliamentary Councils, only ten thousand pounds in one year at first, and then 16000, 24000, 30000, 40000, or 48000 l. at the utmost for several whole years Tribute, without any Excise, Imposts, or other Customs. Which meditation me thinks should now induce them to mitigate, release, cease, our long continued unnecessary Taxes, Excises, Imposts, or at least to reduce them to the *Danes* highest annual proportion, of 48000 thousand pounds, lest the whole Nation and Posterity repute them more oppressive, barbarous, tyrannical to their Christian Countrymen now; than the worst of the forein Pagan *Danish* Invaders were heretofore, and greater present Enemies to their Native Country, than the *Danes* then were to our Progenitors.

Anno 991.

[a] William

Malmshur, *De Gestis Regum*, l. 2. c. 30. p. 64, *Spelman. Concil.* p. 503,

be-

between King Ethelred and Richard Marquess of Normandy, he thereupon slew and pillaged all the English passing through his Country, and affronted King Ethelred with frequent injuries. Pope John the 15. hereupon sent Leo his Legate, with exhortatory Letters to make peace between them: who coming with them to King Ethelred on *Christmas day*, Anno 991. the King, upon receipt of the Popes Letters, *Accersitis cunctis sui Regni fidelibus, utriusque ordinis Sapientioribus,* *Proposita 6. 9.* Assembling all the Wisest men of his Realm of both Orders, for the love and fear of Almighty God, and St. Peter the Prince of the Apostles, granted and established a most firm peace with all his Sons and Daughters, present, and to come, and with all his Lieges, without guile. In pursuance whereof, the King sent Edelfinus Bishop of Sherburn, with two other persons of quality into Normandy to the Marquess: Who, upon receipt of the Popes Admonitions, and hearing of the kings Decree, with a willing mind, confirmed the said Peace with his Sons and Daughters present and to come, and with all his Subjects, upon this reasonable condition, That if any of them, or they themselves should perpetrate any unjust thing against the other, it should be expiated with condign reparation. Which Peace that it might remain perpetually firm, was ratified by the Oaths of the Commissioners of both parts, at Rhean, in March following. Here we have a Peace advised, ratified by the direction of a Parliamentary Great Council: recorded at large by Malmsbury: The last clause whereof was this, *Et de hominibus Regis, vel de inimicis suis, nullum Richardus recipiat, nec Rex de suis, sine Sigillo eorum.*

King (b) Ethelred in the year 992. hearing that the Danes intended a new invasion of England, and that they (b) Florentius had sent a great Fleet to Sea, contrary to their former agreement the year before, assembled a Council of his Simeon Dunelmensis, Hoveden, Huntindon, Hist. l. 5. p. 357. Chron. Johan. Bromton, col. 879. 880. Speed, Holinshead, Grafton, Fox.

Proposit. 6, 9.

Nobles to consult how to resist them. What the result of their consultation was, Florence of Worcester thus records *Confilio iussuque Regis Anglozum Erheiredi, Procezumque suorum, de tota Anglia robustiores, Londoniæ congregata sunt Naves.* By the Counsel and command of *Eskelbert* king of England, and of his Nobles, all the strongest Ships were assembled together at London, out of all England; which the king furnishing with choice Souldiers, made Duke *Alfric*, Duke *Thorold*; *Alstan* and *Æscwin* (two Bishops) Admirals over them; commanding them, if by any means they could, to take the Danish Army and Fleet by invading them in some part. But Duke *Alfric* (formerly banished, forgiven, and now made chief Admiral) turning Traytor, both to his king and Country, first sends a secret Messenger to the Danes, to acquaint them with the designs against them, intreating them to prevent the ambushes prepared to surprize them, whereby they escaped the hands of the English. After which, when the English and Danes were ready to encounter each other in a Sea-fight, *Alfric* fled secretly to the Danish Fleet the night before, and by reason of the instant danger, fled away shamefully with them. The kings Navy pursuing them, took and pillaged one of the Danish Ships, slaying all the men therein. But the London ships meeting with the other Danish Pirates, as they were flying, fought with them, slew many thousands of the Danes; and took Duke *Alfric* his Ship, with the Souldiers and Armes, himself hardly escaping, as *Wigornienfis* and *Matthew Westminster* relate. But *Huntingd. & Bromton*, write, that the Danes recruiting their Navy, met and fought with the kings Navy, slew many of the Londoners, triumphantly took whole armed Ships, and Duke *Alfric* who was in them; whom the king should not have trusted, according to the ancient saying: *Quem semel graviter laeseris, non facile tibi fidelem credideris.* For this Treason of *Alfric*, the king cau-

caused the Eyes of his Son Algar to be put out, *Unde odium & infamia eius crudelitatis adaugeta est*; as *Huntindon* and others observe.

The next year 993. the [c] *Danish Fleet* entring *Humber*, wasted the Country of *Northumberland* and *Lindecsey*, burning the Villages, slaying the people, and pillaging their goods. Whereupon great multitudes of the people of that Country, assembling together, resolved and hastned to fight with them: but when they were ready to give them battel, *Frena*, *Fritbgist* and *Godwin* their Captains, being of *Danish* Progeny, proving treacherous to their followers: perswaded them to fly, and fled first themselves. Notwithstanding the Country (as *Malmesbury*, *Speed*, and others write) being unable to digest their intollerable insolence and plunders, fell upon the *Danes*, slew many of them, and chased away the rest to defend their Lives, Liberties, and Estates.

Anno 994. *Swane* king of *Denmark*, and *Anlase* king of *Norway* with 94 Ships sailed up to *London*, besieged and fiercely assaulted the City, thinking to take it; but the Citizens so manfully defended it, that they repulsed the *Danes* thence with great loss. Who thereupon turning their fury upon the Counties of *Essex*, *Kent*, *Sussex*, and *Southampton*, so greivously wasted them with fire and sword, burning the Villages, and slaying the Inhabitants, that King *Ethelred*, *Concilio Procerum suorum*, by the Council of his Nobles (assembled together for that end, as *Wigornienfis*, *Matthew Westminster*, *Hoveden*, *Simeon Dunelmensis* and others write) sent Embassadors to them, promising to give them **Tribute and Wages, and Money**, upon this condition, that they should desist from their cruelty. Who thereupon condescending to the kings request, returned to their Ships, and drawing all their Army together unto *Southampton*, wintered there: To

Anno 993.
[c] *Vvigor-niensis*, *Bromt.*
Huntindou,
Hoveden, *Mat.*
Vv Westminster.
Malmesbury
Simeon Dunelm. *Radulphus Cestrensis*, *Fabian*, *Holinshed*, *Speed*,

Anno 994.
[d] *Florent.*
Vvigor. Sim.
Dunelm. *Mat.*
Westm. Anno
994. *William*
Malmes. de
Gest. Reg. l. 2.
c. 10. *Huntindon* *Hist.* l. 3.
p. 358. *Hoveden*, *Anal.*
pars prior, p.
428. *Cbron.*
Job. *Bromt.*
col. 880, *Polych.* l. 6. c. 13.
Henry de
Knyghton de
Even. *Angl.* l.
1. c. 2. *Fabian*,
Grafton, *Holinshed*, *Stow*,
Chron. 461.

Propos^{it}. 1, 6, 9. whom a Tribute of fifteen thousand pounds, was gi-
ben and paid out of all England, that they should cease
from their rapines and slaughters of innocent persons. Af-
ter this agreement King Anlaf repaired to Andover,
to King Ethelred, where he received baptism, Ethelred
being his Godfather: and bestowing great gifts upon
him; Heteupon Anlaf entred into a League with
him, promising, to return into his own Countrey, and ne-
ver after to return into England with an Army; Which
promise he faithfully observed. The Articles of the
Agreement between King Ethelred and him, are at
large recorded in the Chronicle of Bromton, Col. 899,
900. being made by advice of all his Wisemen assem-
bled in a Parliamentary Council, as this Title to them
intimates. *Hæc sunt verba Pacis et Prolocutionis, quas*
Ethelredus Rex et omnes Sapientes ejus cum exer-
citu firmaverunt, qui cum Anafano, et Jutino, et Gu-
dermundo Stegiari filio venit. The Articles of the
Peace between them are X. in the Saxon, but XI.
in the Latin Copy.

An. 997, 998, The perfidious (e) Danes violating their former a-
greement, Anno 997. came with a great Fleet and
999. Army into the mouth of Severn, wasted and laid waste
(e) Wigornien- and detolate Northwales, and most of the West and
sis, Mat. VVes. South parts of England, no man resisting them, gain-
Huntindon, Rad. de Diceto, ing an extraordinary great booty and Wintring about
Simeon Dunel- Tavestock. The next year 998. They entring the river
mensis, Poly- of Frome, wasted and spoiled Dorsetshire, the Isle of Wight,
chron. Bromton, and Sussex over and over, living upon their spoils:
Hen. Knighton, whereupon the English many times assembled an Ar-
Malmesbury, my to resist and expell them; but so often as they were
Hoveden, Fabi- about to give them battel, *Angli aut infidiis, aut a-*
on, Holinshed, *liquo infortunio impediti, terga verterunt, et hostibus victo-*
Speed, Grafton, *riam dederunt;* most of the Nobles of England secretly
and others. favouring the Danes, and not loving Ethelred, *quia Al-*
frida mater sua pro ipso liberius in regno substituendo, san-
ctum Edwardum fratrem suum dolose extinxerat, as
Bromton

Bromton and others attest. Anno 999. The Danish fleet entring the river of *Medway*, besieged *Rocheſter*, and waſted *Kent*. The *Keniſh* men uniting their forces fought a ſharp battel with them, wherein many were ſlain on both ſides, but the *Danes* winning the field, horſed their foot on the horſes they gained, and miſerably waſted all the *West* part of *Kent*. Which King *Ethelred* being inform'd of, *ſuorum Primatum Conſilio et claſſem et pebeſtrem congregabit exerci- tum*; by the advice of his Nobles, he aſſembled a Navy and foot Army to encounter them. But whiles the ſhips were preparing, the Captains of the Army delaying from day to day their begun levyes and undertakings, *Graveouſly vered the People*. In concluſion, neither the Navy nor Army did any thing at all for the peoples benefit or defence, *præter populi laborem, pecunia perditionem, hoſtium incuſationem*, as *Florentius Wigornienſis*, *Roger Hoveden*, and others obſerve.

Hereupon (f) King *Ethelred*, Anno 1000. for the better defence of his Realm, reſolved to take to wife *Emma* daughter of *Richard* Earl of *Normandy*, who was then moſt valiant, and formidable to the whole Realm of *France*: For he ſaw himſelf and his Subjects very much weakned, and did not a little fear their future overthrow. *Hoc autem Dei nuſu factum eſſe conſtat, ut veniret contra improbos malum. Genti enim Anglorum quam ſceleribus ſuis exigentibus deſterminare propoſuerat, ſicut et ipſi Brittones peccatis accuſantibus humiliaverant, Dominus omnipotens duplicem contritionem propoſuit, et quaſi militares inſidias adhibuit. Scilicet, ut hinc Dacorum perſecutione ſaviente, illinc Normannorum conjunctione accreſcente, ſi ab Dacorum manifeſta fulminatione evaderent, Normannorum improvſam cum fortitudine cautelam non evaderent. Quod in ſequentibus apparuit, cum ex hac conjunctione Regis Anglorum, et filia Ducis Normannorum, Angliam, JUSTE, ſecundum jus Gen-*

Anno 1000.
(f) *Hen. Hun-
tindon, Hiſtor.
1.6.p.359.Ch.º.
Jobau. Bromton
col.883, 884,
Polychronicon,
1.5.c.60.*

tium Normanni et calumniati sunt; et adepti sunt. Prædixit etiam eis quidam vir Dei, quod ex scelerum suorum immanitate, non solum gula semper cædi et proditiōi studuebant, verum etiam quia semper ebrietas et negligentia domus Domini dediti erant, eis insperatum à Francia adventurum Dominium; quod et eorum excellentiam in æternum deprimeret, et honorem sine termino restitutionis eventilaret. Prædixit etiam, quod non ea gens solum, verum et Scottorum, quos vilissimos habebant eis ad emeritam confusionem dominaretur. Prædixit nihilominus varium adeo seculum creandum, ut varietas quæ in mentibus hominum latebat, et in actibus patebat, multimoda variatione vestium et indumentorum designaretur. Hac igitur providentia cum Legatoris ad Ducem Normannorum missis, Rex Anglorum suæ petitionis concessionem obtinisset, Statuto tempore tanto digno ministerio ad Dominam suam recipiendam et adducendam Proceres Anglorum mittuntur in Normanniam, quæ longo et digno regibus apparatu dirigentur in Angliam. Thus Henry Archdeacon of Huntingdon, Radulphus Cistrensis, Bromton, and others out of them, write of this Norman match, as the groundwork of translating the Government in succeeding times from the Saxons to the Normans, for the Saxons sinnes forenamed.

[g] Mat. westm.
Hoveden, wi-
gorniensis, Sim.
Dunelmensis,
Holinshed,
Speed, and o-
thers. Anno
1000.

This same year, the Danish Fleet sailing into Nor-mandy and pillaging it, King Ethelred hearing of it, marched with a great Army into Cumberland and the Northern parts, which had revolted to the Danes, and where their greatest Colony was; where he vanquished the Danes in a great battel, and wasted, pillaged most of all the Country. Which done, he commanded his Navy to sail round about the North parts of Wales, and to meet him at an appointed place, which by reason of cross winds they could not doe: yet they wasted and took the Isle of Man; which success somewhat raised and encouraged the dejected spirits of the English, and encreased the Kings reputation with them.

In

In the years 1001. (b) The Danish Fleet returning from Normandy, entered the River of Ex, and besieged Exeter: which the Citizens manfully defending, repulsed them with great loss from their walls. Where- with they being extremely enraged, marched through all Devonshire, burning the villages, wasting the fields, and slaying the people, without distinction of age or sex, after their usual manner. Whereupon the inhabitants of Devon, Somerset, and Dorsetshires, uniting their forces in a Body in a Place called Penho, gave them battel: but being overpowred by the multitude of the Danes, who farr exceeded them both in number and military skill, they were forced to flie, and many of them slain. The Danes thereupon getting their horses, harrowed Devonshire farr worse than before, and returned with a great booty to their ships: Whence steering their course to the Isle of Wight, they preyed sometimes upon it, sometimes upon Hampshire, other times upon Dorsetshire, no man resisting them. Destroying the men with the sword; and the Villages and Towns with fire, in such sort, *ut cum illis nec classica manus navali, nec pedestris exercitus certare audeat prae alia terrestri*: for which cause the King and People were overwhelmed with unspeakable grief and sadness. In this sad perplexity, King Ethelred, Anno 1002. **Habito consilio cum regni sui Primatibus** (as Florentinus Wigorniensis, Simeon Dunelmensis, Radulphus de Diceto, Roger Hoveden, and others express it; or **Consilio Primatum suorum**, as Mat. Westminster and his followers relate it;) By the Counsel of the Nobles of his realm, (assembled together for this purpose at London) reputed it beneficial for him and his people to make an Agreement with the Danes, and to give them a Stipend, and Paying Tribute, that so they might cease from their mischiefs. For which end Duke Leoff was sent to the Danes, who coming to them, importuned them, that they would accept of a Stipend and Tribute. They gladly embracing

Anno. 1001.

1002.

[b] wigorniens.
Hnnlindon,
Hoved. Ethel.
werdus, Ingul-
phus, Malmsb.
Radulphus de
Diceto, Radul-
phus Cistrensis,
Simeon Du-
nelm. Bromton,
Mat. Westmin.
Hen: de Knygh-
ton, Mat. Par-
ker, Fox, Fabi-
an, Holinshed,
Grafton, Speed,
Daniel.

Proposit. 1, 6, 8,
9.

bracing his Embassy, condescended to his request, and determined how much **Tribute** should be paid them for to keep the peace. Whereupon soon after **A Tribute** of 24000 pounds was paid them, **pro bono Pace**, for the good of Peace.

In this Assembly and Council, (as I conjecture) [i] King **Ethelred** informed his COUNSELLERS, who instructed him both in divine and humane things, with the sloathfulness, negligence, and vicious lives of the Secular Priests throughout England, and by their advice thought meet to thrust them out, and put Monks in their places, to pour forth prayers and praises to God for him and his people in a due manner. Whereupon he confirmed by his Charter, the ejection of the Secular Priests out of *Christs-Church* in *Canterbury*, and the introduction of Monks in their places; and ratified all the lands and privileges formerly granted them; exempting the Monastery and Lands thereof from all Secular services, except *Expe ditones, Pontium operationes, et Arcium reparations*. Beseeching and conjuring all his lawfull Successors, Kings, Bishops, Earls, and people, that they should not be, *Ecclesie Christi Traditores, sed sitis Patrimonii Christi defensores seduli, ut vita et gaudia eternis cum omnibus Dei sanctis in aeternum fruantur*. Which Charter was ratified by the Subscriptions of the King, *Archbishop, Bishops, Abbots*, and of several *Aldermen, Nobles, and Officers*, and the sign of the Cross. This year* Duke *Leoffi* slaying *Efric* a Nobleman, the Kings chief *Provost*, was judicially banished the Realm by the King for this offence.

Anno 1002.

(k) *Huntindon, Hoveden, Malmsb. Mat. VVestm. Ra-*

dolphus de Diceto, Simon Dunelm, W. Vigorn. Bramten, Hen. de Knighton, Fox Ales & Monuments, vol. 1, p. 207. Polychron. Fabian, Polinshed, Grafton, Speed, Daniel.

destroy

destroy them all in one day by Treachery at unawares, either by the sword or by fire; because they endeavored to deprive him and his Nobles both of their Lives and the Realm, and to subject all England to their own Domination: The occasion, time, and manner of whose sudden universal Massacre is thus related by *Mat. Westminster*, An. 1012. (though acted An. 1002. as all accord) and by Mr. Fox and others. *Huna* General of King *Ethelreds* Militia, a valiant warlike man, who had taken upon him the managing of the affairs of the Realm under the King, observing the insolency of the Danes, who now after the peace made with them, did so proudly Lord it through all England, that they presumed to ravish the wives and daughters of Noblemen, and every where to expose them to scorn; by strength caused the English husbandmen to soyl and sow their land, and doe all vile labor belonging to the House, whiles they would sit idely at home, holding their wives, daughters, and servants at their pleasure; and when the husbandmen came home, they should scarcely have of their own, as his servants had: So that the Dane had all at his will and fill, faring of the best, when the owner scarcely had his fill of the worst. Thus the common people being of them oppressed, were in such fear and dread, that not only they were constrained to suffer them in their Doings, but also glad to please them, and called every one of them in the House where they had rule, LORD DANE, &c. Hereupon *Huna* goeth to the King much perplexed, and makes a lamentable complaint to him concerning these things. Upon which the King being not a little moved, by the Counsel of the same *Huna*, sent Letters (or Commissions) unto all the coasts of the Realm, commanding all and every of the Nation, that on one day after, to wit, on the Feast of St. *Brics* the Bishop, all the Danes throughout England should be put to death by a secret Massacre, that to the whole Nation of the English might

Proposit. 2.

all jointly and at one time: be freed from the Danish Oppression. And so the Danes, who by a firm covenant, sworn unto by both sides a little before, ought to have dwelt peaceably with the English, were too opprobriously slain, and the women with their children being dashed against the posts of the houses, miserably powred out their souls. When therefore the sentence of this decree was executed at the City of London without mercy, many of the Danes fled to a certain Church in the City, where all of them were slain without pity, standing by the very Altars themselves. Moreover, that which aggravated the rage of this persecution, was the death of *Guimild*, Sister of King *Swain*, slain in this manner in England: she was lawfully married to Count *Palingers*, a Noble man of great power, who going into England with her husband, they both there received the faith of Christ and Sacrament of baptism: this most prudent Virago being the mediatrix of the peace between the English and Danes, gave her self with her husband and only son, as Hostages to King *Eshelred* for the security of the peace, she being delivered by the King to that most wicked Duke *Edric* to keep, that Traytor within few days after commanded her husband, with her son, to be slain before her face with four spears, and last of all commanded her to be beheaded. She underwent death with a magnanimous minde, without fear or change of countenance; but yet confidently pronounced as she was dying, That the shedding of her blood would bring great detriment to England.

(1) *Historiarum*, l. 6. p. 360.

(1) *Henry Huntingdon* thus relates the story of this Massacre. In the year 1002. *Emma* the Jewel of the Normans came into England, and received both the Diadem and name of a Queen; with which match King *Eshelred* being puffed up with pride, bringing forth perfidioufness, caused all the Danes who were with peace in England, to be slain by clandestine Treason on one

one and the same day, to wit on the feast of St. Brice, concerning which wickedness we have heard, in our infancy some honest old men say; that the said King sent secret Letters into every City, according to which the English on the same day and hour destroyed all the Danes, either cutting off their heads, without giving them warning, with swords, or taking and burning them suddenly together with fire. *Ubi fuit videre miseriam, dum quisque charissimos hospites, quos etiam artificissima necessitudo dulciores effecerat, cogeretur prodere, et amplexus gladio deturbare,* writes (m) *Malmsbury.* Proposit. 2.
(m) De Gest. Regum, l. 2. c. 10. p. 64.

The News of this bloody Massacre of the Danes, being brought into Denmark to King Swain by some Youths of the Danish Nation who escaped and fled out of England in a ship, moved him to tears, (n) *Who* (n) *Mat west-* *catique canatis Regni Principibus,* *Who calling all* min. An. 1012, p. 391, 392. the Princes of his Realm together, and relating the whole series of what was acted to them; he diligently enquired of them, what they would advise him to do? Who all crying out together, as with one mouth, DECREED, That the blood of their Neighbours and Friends was to be revenged. Whereupon Swain, a cruel man, prone to shed blood, animated to revenge, by his Messengers and Letters commanded all the Warriors of his Kingdom, and charged all the souldiers in forein Regions, greedy of gain, to assist him in this expedition against the English, which they cheerfully did, he having now a fairer shew to do foully than ever, wrong having now made him a right of invasion, who had none before.

Anno 1003. King Swain arriving with a great Navy and Army in England, by the negligence and treachery of one Hugh a Norman, whom Queen Emma had made Earl of Devonshire, took and spoyled the City of Exeter, Hoveden, *VV*irased the wall thereof to the ground, and burnt the City to ashes, returning with a great prey to his ships, Anno 1003.
[o] Malmsbu-
ry, Huntindon,
Hoveden, VVi-
gorniensis, Simeon Dunel-
mensis, [Radul-
phus de Diceto, Bromton, Henry de Knyghton, Polychronicon, Ingulphus, Mat.
westm, Fabian, Fox, Holinshed, Grafton, Speed, Daniel

leaving nothing behind them but the ashes. After which waiting the Province of *Wiltshire*: a strong Army congregated out of *Hamshire* and *Wiltshire*, went with a resolution manfully and constantly to fight with the Enemy; but when both Armies were in view of each other, ready to joyn battel, Earl *Edric* their General (a constant Traytor to his Country, and secret friend to the *Danes*) feigned himself to be very sick, and began to vomit, so that he could not possibly fight. Whereupon the Army seeing his slothfulness and fearfullness, departed most sorrowfull from their Enemies, without fighting, being disheartned by the Cowardise of their Captain: Which *Swane* perceiving, he marched to *Wilton* and *Sarisbery*, which he took, pillaged, and burnt to the ground, returning with the spoil to his Ships in triumph.

Anno 1004.
(p) *Vigorn.*
Hoveden,
Huntind. Hist.
i. 6. Speed, &
others.

Proposit. 6, 9.

The next year *Swane* (to whom God had designed the kingdom of *England*, as some old (p) Historians write) sailing with his Fleet to *Norwich*, pillaged and burnt it to the ground. Whereupon *Ulfketel*, Duke of *East-England*, a man of great valour, seeing himself surprized, and wanting time to raise an Army to resist the *Danes*, cum *Majozibus East-Angliae* habito Consilio, taking Counsel with the Great men of *Eatt-England*, made peace with *Swane*; which he treacherously breaking within three weeks after, suddenly issuing out of his ships, surprized, pillaged, and burnt *Thetford* to the ground; and covering the Country like Locusts, spoyled all things, and slaughtered the Country-men without resistance. Which Duke *Ulfketel* being informed of, commanded some of his Country-men to break his ships in pieces, in his absence from them; which they not dared, or neglected to do, and he in the mean time raising an Army with as much speed as he could, boldly marched against the Enemy, returning with great booties to their Ships; where after a long and sharp incounter on both sides, the English being over-powered

ered by the multitude of the *Danes*, were totally routed, and all the Nobles of *East-England* there slain in their Countries defence, who fought so valiantly, that the *Danes* confessed they had never an harder or sharper battel in *England* than this. The great loss the *Danes* sustained in it, though they got the field, and an extraordinary famine in *England* the year following, greater than any in the memory of man, caused *Swane* to return into *Denmark* to refresh and recruit his Army.

King *Ethelred* quit of these Enemies, Anno 1006, *Anno 1006.*
deprived *Wulfstan* the Son of *Leonne*, whom he had loved more than all mer, of his possessions and all his honours, *(u) Florentius wigorniensis, Mat. westm.*
propter injusta iudicia, for his unjust judgments and proud works; and likewise commanded the eyes of the two Sons of that Arch-Traitor *Edric Streona* to be put out at *Cocham*, where he kept his Court, because *Edric* had treacherously inticed a bloody Butcher, *(x) Huntind. Hoveden, Malmesbury, Sim. Dnnelmenfis, VVigorn. Mat. VVestm. Ingulphus, Bromton, Radulph. de Diceto, Knyghton, Polych. Fabian, Holinshed, Grafton, Fox, Speed, Daniel.*
Godwin Porthound (whom he corrupted with great gifts) to murder the Noble Duke *Althelin* at *Scoborbyrig*, as he was hunting, whom *Edric* purposely invited to a Feast, that he might thus treacherously murder him. While these things were acting, in the month of *July*, the *Danes* returning with an innumerable Navy into *England*, landing at *(x) Sandwich*, consumed all things with fire and sword, taking great booties, sometimes in *Sussex*, sometimes in *Kent*: Whereupon King *Ethelred* gathered a great Army out of *Mercia* and the West-parts of *England*, resolving valiantly to fight with them, who declining any open fight, and returning to their Ships, landed sometimes in one place, sometimes in another, and so pillaging the Country, returned with the booty to the Ships before the English Army could encounter them, which they vexed all the Autumn in marching after them from place to place to no purpose: The English Army returning home when Winter began to approach, the

Danes

Danes with an extraordinary booty sayled to the *Isle of Wight*, where they continued till the Feast of Christs Nativity, which Feast they turned into sorrow. For then they marching into *Hampshire* and *Berkeshire*, pillaged, and burnt down *Reading*, *Wallingford*, *Colesey*, *Effington*, and very many Villages, *Quocunque enim peragebant, quæ parata erant hilariter comedentes, cum discederent in retributionem procuratoris reddebant hospiti eadem, hospitio flammam*, as *Huntindon*, *Bromton*, and others story. As they were returning another way to their ships with their booty, they found the Inhabitants ready to give them battel at *Kenet*; whom the Danes presently fighting with, and routing, returned with triumph to their ships, enriched with the new spoils of the routed English.

Anno 1007.

King *Ethelred* lying all this time in *Shropshire*, unable to resist the Danes, Anno 1007. cum Consilio Primatum suorum (as *Florentius Wigorniensis*, *Simeon Dunelmensis*, *Polychronicon*, and others express it) by the Council of his Nobles, sent Messengers to the

Proposit. 1, 6, 9. Danes. commanding them to tell them, quod sumptus et Tributum illis dare vellent, that they would give them Colts and Tribute, upon this Condition; That they should desist from rapines, and hold a firm peace with them; to which request they consented, and from that time Colts were given them, and a Tribute paid them of thirty six thousand pounds out of all England,

(y) Historia- (y) Henry Huntindon, & Bromton, thus relate the business. Rex et Senatus Anglorum, dubii quid agerent, quid omitterent, communi deliberatione, gravem conventionem cum exercitu fecerunt, & ad pacis observationem 36000 mil. librar. ei dederunt. A clear evidence that this Agreement and Peace was made, and money granted and raised in England, by common advice & consent in Parliament (or Council) Infrenduite Anglia tota velut arundinem Zephiro vibrante collisum. Unde Rex Ethelredus confusione magna consternatus, pecunia pacem ad tempus

(2) Anno 1007. p. 387.

tempus, quam armis non potuit, adquisivit, writes
(z) *Matthew Westminster. Rex Anglorum Ethelredus, Anno 1007,*
pro bono pacis Tributum 36 mil. libratum persolvit Dacis, 387.
as (a) *Radulphus de Diceto* words it. After which the
King this year made *Edric*, (aforementioned) Duke of
Mercia; and that by the Providence of God, to the
destruction of the English, a man of base parentage,
but extraordinary crafty, eloquent, witty, and uncon-
stant, surpassing all of that age in envy, perfidiousness,
pride, cruelty and Treason, who soon after married the
Kings daughter *Edith*: whereby he had the better op-
portunity to betray the King and kingdom, with less
suspicion.

(b) King *Ethelred*, though often vexed with the wars and invasions of these forein Enemies, yet he had
a care to make good Laws for the benefit, peace and
safety of his people; whereupon, having thus made
Peace with the *Danes*, An. 1007. he summoned and held
a Great Parliamentary Council at *Amham*, on the Feast
of *Easter*, at the exhortation of *Elfeag* Archbishop of
Canterbury, and *Wulstan* Archbishop of *York*, who to-
gether with the rest of the *Bishops*, and all the Nobles
of *England* were present at it. *Regis Æthelredi Ca-*
dico concregante acciti sunt conventre. Where they
all assembling together, *de catholicæ cultu Religionis*
reparando deque etiam rei statu publicæ reparando
vel consulendo, plura et non pauca, utpote divinus in-
spirati, ratiocinando sermocinabantur. In this Council
they debated, resolved on divers things, and enacted
many wholesom Laws and Edicts for the reformati-
on and settling of Religion, and Churchmen, the
advancement of Gods worship; the Government
of the Church and State; the advancement of civil
Justice and honesty, and defence of the Realm by Land
and Sea, beginning with the things of God and the
Church in the first place; which you may read at
large in *Sir Henry Spelman*. Some Laws whereof I shall
here

(a) *Abbrev. Chron.* col. 462.

Anno 1007.
(b) *Spelmanni Concil. p. 510. 10*
531. Malmsh.
l. 2. c. 10.

Proposit. 5, 6.

here transcribe, being very pertinent to my subject.

Proposit. 1, 2, 4, 5. **Cap. 5.** *Sapientes decernunt, Ut Leges quique*
coram Deo et hominibus æquas statuant et tueantur:
iniquas autem omnino deleant: justitiam pauperi at-
que diviti, pari exhibentes lance: et pacem insuper
et concordiam piè in hoc seculo coram Deo et ho-
minibus retinentes.

Cap. 6. *Sapientes etiam decernunt, Ut nemo Chri-*
stianum et inlontem pretio tradat extra patriam,
præsertim in Pagani alicujus servitium.

Cap. 7. *Sapientes etiam decernunt, Ut pro delicto*
modico nemo Christianum morti adjudicet, sed in mi-
sericordia potius Leges administret ad utilitatem po-
puli; et non pro modico eum perdat, qui est opus ma-
num Dei, et mercimonium ejus magno comparatum
pretio. De quolibet autem Crimine acuratus decer-
nito, sententiam præbens juxta factum, mercedem jux-
ta meritum, ita scilicet, ut secundum divinam clemen-
tiam levis sit poena, et secundum humanam fragilira-
tem tolerabilis.

Cap. 8. *Nemo dehinc in posterum Ecclesiæ servi-*
cium imponat, nec clientelam Ecclesiæ injungat, et
ciat, nec Ministrum Ecclesiæ faciat inconstitutum Episc-
opus, nisi sit illius collegatus.

Cap. 9. *Verba et opera rectè quisque dicat, et*
Jusjurandum pactamque fidem cautè teneat. Om-
nem etiam Injustitiam è patriæ finibus quâ poterit in-
dustria quisque ejiciat, et perjuria formidanda.

Proposit. 1, 3, 6, 9. **Cap. 22.** *Urbium, Oppidorum, Arcium atque Pon-*
tium instauratio sedulo fiat, prout opus fuerit, restau-
rentur, renoveantur: vallis et fossis muniantur, et
circumvallentur; Militaris etiam et Navalis Pro-
fecto, uti imperatum est, ob universalem atque
necessitatem.

Cap. 23. *De Navali Expeditione sub Paschate. Ca-*
vendum etiam est, ut celerius post Pascharis festum
Navalis

Navalis expeditio Anno sit parata. Si quis Navem
in Republicæ expeditionem designatum viciaverit,
damnum integrè restituito, et pacem Regis violatam
compensato. Si verò eam ita prorsus corruperit, ut
deinceps nihili habeatur, plenam luito injuriam et læ-
sam præterea Majestatem. So one translation our of
the Saxon Copy reads it: but another thus. **Paves**
per singulos annos ob patriæ defensionem et muni-
tionem præparentur: postque sacrosanctum Palcia
cum cunctis utilibus competentibus simul congre-
gentur. Quæ etiam pœna digni sunt qui Navium de-
trimentum in aliquibus perficiunt, notum cunctis esse
cupimus. Quicumque aliquam ex Navibus per quam-
piam inertiam, vel per incuriam, vel neg-
ligentiam corruperit, et tamen recuperabilis sit;
Is, navis corruptelam vel fracturam ejusdem, per soli-
dam prius recuperet, Regique deinde, ea quæ pro e-
jusdem munitionis fractura, libimet pertinet, ritè
persolvat.

Cap. 24. De Militiam detractante Si quis de
Protectione militari cui Rex intererit, sine licentia se
subtraxerit, in detrimentum currat omnium fortu-
narum.

These three last Lawes most clearly demonstrate,
that the *Militia* and *Military affairs* of this age, with
all their Provisions of Arms, Ships for defence of the
Realm by Land and Sea, against the invading *Danes*,
and other Enemies, with their Military Laws, and all
other apurtenances thereto belonging, were ordered
and settled in their *General Councils* by common con-
sent.

Cap. 16. Si quis vitæ Regis insidiabitur, sui ipsius *Proposit. 2.*
vitæ dispendio, et quas habet, rebus omnibus pœnas
luito: Sin negaverit, et purgatione qua licuerit, expe-
tierit, solemniori eam faciat juramento, vel Ordalio
triplici, juxta legem Anglorum, et in *Danorum* lege,
prout ipsa statuit.

Cap. 27. ' Si quis Christi legibus, five Regis le-
' fariè opposuerit, capitis plectitor æstimatione, vel
' multa aliâ, pro delicti qualitate. Et si is contrari-
' us rebellare armis nititur, et sic occiditur, inultus
' jaceat.

*Proposit. 1, 2,
4, 5.*

Cap. 29. ' Scrutari oportet diligentius unumquem-
' que modis omnibus, quoniam pacto illud ante omnia
' efferatur Consilium, **quod populo habeat utilissimum,**
' et, ut recta Christi religio maxime provehatur, **inju-**
' **stumque quodlibet funditus extirpetur.** Hæc enim in
' rem tuerint totius patriæ, ut **injustitia conculle-**
' **tur, et Justitia coram Deo et hominibus diliga-**
' **tur.**

Cap. 32. ' Ut quisquis fuerit potentior in hoc secu-
' lo, vel per scelera evectus in altiorum gradum, ita
' gravius emendabit peccata sua, et pro singulis male-
' factis poenas luet graviores.

' Hæc itaque Legalia Statuta vel Decreta in **Postro**
' **Conventu Synodali,** à Rege nostro magnopere e-
' dicta, **tunc tunc temporis Optimates,** se observa-
' tuos fideliter spondebant.

The Invasions and Oppressions of the *Danes*, exci-
red both the King, his Prelates and Nobles, in this
Great General Council, not only to provide for their
necessary defence against them by Land and Sea, but
likewise to enact good Laws for the advancement of
Gods worship and service, the good Government
of the Republick, the advancement of Justice, and
Righteousness, the suppression of all Oppressions,
Injustice, wickedness, and preservation of the Just
Rights and Liberties both of the Church and Peo-
ple; as the most effectual means to unite and pre-
serve them against the Common Enemy, and to re-
move Gods wrath and judgements from them, as the
other Statutes and Decrees of this Council more fully
resolve, which you may peruse at leisure.

About the same year, (as I conjecture) or not
long

long after (c) King *Ethelred* having some breathing [c] *Chron. 10*
time from wars by his Peace concluded with the per- *Bromt. col. 893.*
fidious *Danes*, held three other great Parliamentary *to 903. Lam-*
Councils, the first at *Woodstock*, the second at *Venetingum*, *bardi Archai-*
the third at *Haba*, wherein He and his *Wille-*
men made and published many excellent Civil and *on, Spelm. Con-*
Ecclesiastical Laws, for the Good Government, Peace, *cil. p. 530, 531,*
Velfare and happiness of his People, recorded at *532, 533.*
large in *Bromton*, *Lambard*, and *Spelman*, where you
may read them. I shall insert only 3 of them made at
Venetingum (VVantige, as some take it.)

Proposit. 5, 6.

Cap. 4. *Habeantur placita in singulis VVapentakis,*
ut exeant seniores 12 Thayni & Prapofitus cum eis, &
jurent super sanctuarium quod eis dabitur in manus,
Quod neminem innocentem velint accusare, vel nomi-
um conclare.

Proposit. 1, 9.

Cap. 23. *Ad Wylpynggefgate si advenisset una navi-*
cula, unus obolus Thelonti dabitur: si major & habet
figlas. 1 d. si adveniat Ceot, vel ulcus, & ibi jaceat 4 d. ad
Thelontum dentur. De navi plena lignorum, unum lig-
num ad Theloneum vetur. In ebdomada panum The-
loneum detur 3 diebus, die Dominica, die Martis, & die
Jovis. Qui ad Pontem veniat cum Batoubi piscis inest, u-
nus ob: dabitur in Theloneum, & de majori Nave 1. d.
Homines de Rothomago qui veniebant cum vino vel cras-
pisce, Flandrenses & Pontrienses, & Normannia &
Francia monstrabant res suas, & extolneabant. Hogge,
& Leodium, & Nivella, qui per terras ibant, ostentionem
dabant et Theoloneum. Et homines Imperatoris qui ve-
niebant cum navibus suis bonarum legum digni teneban-
tur, sicut & nos emere in suas naves: Et non licebat eis a-
liquod Forcheapum facere burhmannis, & dare Theo-
loneum suum. Et in sancto natali Domini duos Grisin-
gos panos, & unum Brunum, & 10 libras Piperis, &
cirotecas 5 hominum, et duos cabillinos, colennos aceto plenos,
& totidem in Pasca: de Doffers cum Gallinis, una Gallina
Thelon. & de uno Doffeto cum Ovis, 5 Ova Theolon. Si

veniat ad Mercatum, mongestre, Sine qui mangonant
in Casco & Butiro 14 diebus ante Natale Domini, 1. d. &
7 diebus post Natale Domini, Unam aliam denarium ad
Theloneum.

Cap. 14. Si Portireu vel Tungravia, vel alius Prapo-
situs compellat aliquem quod **Theolon.** superemmerit, &
homo respondeat quod nullum **Theloneum** concealaverit
quod iuste debuit, iuret hoc se sexto, & sit quietus. Si ap-
pellet quod **Theolonium** deberit, inveniat cui dedit, &
quod etus sit. Si tunc hominem invenire non posset cui dedit,
reddat ipsum **Theloneum**, et persolvat 5 l. Regi. Si
Caecopolium advocet, quod ei **Theloneum** dedit, & ille
neges, perneget ad dei iudicium, et in nulla alia lada.

Proposit. 1.

These are the first Laws, (to my remembrance)
wherein there is any mention of Toll, Tribute, or Cu-
stom, paid by any Natives or Foreiners for goods or
merchandise imported or sold, or any forfeitures or pe-
nalty imposed for concealing or non-payment thereof,
which it seems were imposed about this time by com-
mon consent in a Parliamentary Council, for the better
maintenance of the Navy, and defence of the Realm
against the Danes, the end for which I cite them.

Anno 1008,
1009.

[d] Florentius
Wigorn. Sim.

Dunelm. Mat.
Westm. Huntin.

Hoved. Mal-
mesb. Ingulph.

Radulph. de
Diceto, Bromt.

Polychron. Fab.
Grafton, Fox,

Holinsh. Speed,
Daniel, Antiq.

Eccles. Brit.
Knyghton.

Proposit. 2, 3,
6, 9.

The King having thus in the Great Councils of **En-**
ham and **Wantige**, by consent of his Nobles and Wise-
men, provided a Navy to be annually set out for the
defence of the Realm, in pursuance thereof the self-
same year (as our (d) Historians joyntly attest) com-
manded one ship to be built, and furnished out of every 3 10
Hides, or Ploughlands, and a Buckler & Helmet out of eve-
ry 9 Ploughlands, throughout his Realm, The ships being
accordingly provided, the King victualled and placed cho-
sen Souldiers in them, and assembled them all together to
Grafton, Fox, the port of Sandwich, that they might defend the Coasts of
the kingdom from the irruptions of Foreiners. **AN. 1009.**
Puppes praelata congregata sunt apud Sandwic, & viri
optime armati, Nec fuit tantus numerus Navium rem-
pore alicujus in Britannia, writes Henry Huntingdon. But

yet

yet God frustrated and blasted all their designs, beyond expectation: For about, or a little before this time, *Brithricus* a slippery ambitious proud man; brother to perfidious Duke *Edric*, injuriously accused *Wulnoth*, a Noble young man of *Southsex* to the King, whose servant he was; who thereupon banished him. *Wulnoth* upon this fled away, lest he should be apprehended, and having gotten 20 Ships, exercised frequent Piracies upon the Sea Coasts. The Kings Navy being thereof informed, and that any man who would might easily take him, *Brithric* hereupon, to get praise to himself, took 80 of the Kings Ships with him, and promised to bring *Wulnoth* alive or dead to the King. V When he had prosperously sailed a long time in pursute of him, a most violent tempest suddenly arising, shattered and bruised all the ships, driving them one against another, and forced them to run ashore upon the dry land, with great loss, where *Wulnoth* presently coming upon them, fired and burnt them all. The rest of the Navy discontented with this sad news, returned to *London*: The Army likewise then raised was dispersed, *Et sic omnis labor Anglorum cassatus est*, writes *Humindon*: or, as *Wigorniensis* and others express it, *Sicque totius populi maximus labor perit*, to their great grief and disappointment. Upon this disaster, in the time of Harvest, Earl *Turkel* a Dane arrived with a great new Fleet of Danes, and an innumerable Army at *Sandwich*, whom another great Navy of Danes under the command of *Hemmingus*, *Erglase*, & *Tenotland* followed in the Moneth of *August*. These all joyning together marched to *Camberbury*, assaulted, made a breach therein, and were likely to take it. Whereupon the Citizens and Inhabitants of *East-Kent* were enforced to purchase a firm peace with them, at the sum of 3000 pounds; which being paid, they returning to their ships pillaged the Isle of *Wight*; with the Counties of *Sussex* and *Southampton*, near the Sea.

Sea-Coasts, burning the Villages, and carrying away great booties thence. King *Ethelred* upon this, raised and collected a great Army out of all *England*, placing forces in all Counties near the Sea, to hinder the *Danes* landing and plundering. Notwithstanding they defitted not, but exercised rapines in all places where they could conveniently land. At last, when they had straggled further off from their Ships than they accustomed, and thought to have returned laden with spoils, the King with many thousands of Souldiers intercepting their passage, resolved to die, or to conquer them. But peridious Duke *Edric*, by his treacherous and perplexed orations, endeavored to perswade the King and Souldiers, not then to give the Enemies battel, but to suffer them to escape at that time. *Suasit & persuasit*. And thus, (like a Traitor to his Country, as he ever had been) he then delivered the *Danes* out of the *Englishmens* hands, and suffered them to depart with their booty, without resistance. The *Danes* after this taking up their VVinter quarters in the River of *Thames*, maintained themselves with the spoils they took out of *Essex*, *Kent*, and other places on both sides of the River, and oft times assaulting the City of *London*, attempted to take it by assault, but were still valiantly repulsed by the Citizens with great loss.

In Jan. 1010. the (e) *Danes* sallying out of their Ships, marched through *Chiltern* Forest to *Oxford*, which they pillaged and burnt, wasting the Country on both sides the *Thames* in their return. Being then informed that there was a great Army raised and assembled against them in *London*, ready to give them battel; thereupon that part of the *Danish* Army on the North-side of the *Thames*, passed the River at *Stanes*, and there joyning with those on the South-side, marched in one body to their Ships through *Surrey*, laden with spoils,

Anna 1010,

1011, 1012.

[e] *Malmesh.*

Ingulph. Flor.

Wigorn. Sim.

Dunelm. Hun-

zind. Howeden,

Mat. westmin.

Broms. Radul-

phus de Dice-

so. Polychroni-

con, Knighton,

Fab. Holinsb.

Spreed, Fox,

Grafton, Daniel,

Antiq. Eccles. Brit.

spoils, refreshing themselves in *Kent* all the *Lent*. After Easter they went into the East parts of *England*, marching to *Ringmere* near *Ipswich*, where Duke *Mstketel* resided. On the first of *May* they fought a set battel with him, where, in the heat of the battel the *East-English* turned their backs on *Turketel a Dane*, beginning the fight: but the *Cambridgeshire* men fighting manfully for their Country and Liberty, resisted the *Danes* a long time, but at last being overpowered with multitudes, they likewise fled; Many Nobles and Officers of the King, and an innumerable multitude of people were slain in the fight. The *Danes* gaining the victory, and thereby *East-England*, turned all Horsemen, and running through the Country for three Months space, burnt *Cambridge*, *Thetford*, with all the Towns and Villages in those parts, slew all the people they met with, as well Women and Children, as Men; tossing their very Infants on the tops of their Pikes, wasted, pillaged all places, killing the Cattel they could not eat, and with an infinite rich booty their Footmen returned to their ships. But their Horsemen marching to the River of *Thames*, went first into *Oxfordshire*, and from thence into *Buckingham*, *Hertford* and *Bedford* Shires, burning Villages, and killing both Men and beasts, and wholly depopulated the Country; then they retired laden with very great booties to their ships. After this, about the Feast of *St. Andrew* they rambled through *Northamptonshire*, burning and wasting all the Country, together with *Northampton* it self; then marching Westward into *Wiltshire*, they burnt, pillaged, depopulated the Country, leaving all those Counties like a desolate Wilderness, there being none to resist or encounter them after their great victory at *Ringmere*.

The *Danes* having thus wasted and depopulated *East-England*, *Essex*, *Middlesex*, *Hertford*, *Buckingham*, *Oxford*, *Cambridge* Shires, half *Huntingdonshire*,

shire, most of Northamptonshire, Kent, Surrey, Sussex, Southampton, Wiltshire, and Berkshire, with Fire and Sword. King Ethelred, *et Regni sui Magnates*, and Propos. 1, 6, 9. the Nobles of his Realm, thereupon sent Ambassadors to the Danes, desiring peace from them, and promising them **Wages and Tribute**, so as they would desist from depopulating the Realm. Which they upon hearing the Embassadors consented to, yet not without fraud and dissimulation, as the Event proved. For although provisions and expences were plentifully provided for them, and Tribute paid them by the English according to their desires, yet they desisted not from their rapines, but marched in Troops through the Provinces, wasting the Villages every where, spoiling most of the miserable people of their goods, and some of their lives. At last, not satisfied with rapine and bloodshed, between the Feasts of St. Mary and St. Michael, they besieged Canterbury, (contrary to their dear bought peace,) and by the treachery of Archdeacon Almar took the City, which they pillaged and burnt to the ground, together with the Churches therein, burning some of the Citizens in the fire, slaying others of them, casting many of them headlong over the Walls, dragging the Women by the hair about the streets, and ravishing, and murdering them. After which they decimated the Men, Women, Monks, and little Children that remained, leaving only the tenth of them alive, and murdering the rest, slaying no less than 900 Religious persons, and above 8000 others in this manner, as some of our Historians relate. Mr. (f) Lambard in his Perambulation of Kent, computeth, that ther were massacred 43 thousand and two hundred persons in this Decimation, there being only 4 Monks, and 4800 Lay-people saved alive. The Archbishop (g) Alfege

(f) See Speeds *History*, p. 419. [g] See *Antiq. Eccles. Brit.* Gervastus, Malmesb. and Godwin in his life. Huntind. Hist. l. 6. p. 361. Mat. Vvestm. Hoveden, Brom. wigorn. Sim. Dunelm. Polychron. Grafton, Holinsh. Fab. Speed, Daniel, Vil, Thorn, col. 1782. Radulph, de Diocet Abbrev. Chron, col. 464, 465.

they took prisoner, bound in chains, buffeted, grievously wounded, and then carried to their Fleet, where they kept him prisoner 7 Moneths. At last they propounded to him, *that if he would enjoy his life and liberty, he should pay them 3000 pounds for his ransom: which he refusing to do Week after Week; prohibiting any others to give them any thing for his ransom, they were so enraged with him, that bringing him forth publicly to their Council at Greenwich, they struck him down to the ground with their battel Axes, Stones, and the Bones and Heads of Oxen, and at last one Thrum, (whom he had confirmed but the day before) moved with an impious piety, cleft his head with an Axe, and so martyred him.* The Londoners hearing of it, purchased his dead corps with a great sum of money, and honourably interred it: But above 2000 of these bloody Villains were in short time after destroyed with grievous diseases. VVhiles these things were acted by the Danes in Kent. Anno 1012. perfidious Duke Anno 1012.

Edric (b) et omnes cuiuscunque Ordinis et Dignitatis Primates Congregati; and all the Nobles of every Order and Dignity assembled together at the City of London, continuing there til they had levied and paid to the Danes a Tribute of forty (as some) or forty eight thousand pounds (as others write) upon this condition; *That all the Danes within the Realm should have every where a peaceable habitation with the English, and that there should be, as it were, one Heart, and one Soul of both people (as Matthew Westminster, Daniel, and some others record the Agreement.)* Which Accord being ratified on both sides with Pledges and Oaths (as Matthew Westminster and others relate,) King Swain (as some Historians write, though others mention not his being here in person, but only by his Commanders) returned into his own Land, and so the rage of the Danish persecution ceased for a short space. Upon this agreement 45 of the Danish ships under the command of

(b) Simeon Dunelm. Hist. col. 169. Hoveden Annal. pars 1. p. 432. Florent. Wigorn. p. 378. Mat Westm. An. 1012. Polychron. Græf. Fabian, Speed, Daniel.

Propos. 1, 6, 9.

Turkill the Danish General, submitted themselves to King Ethelred, promising, That they would defend England against strangers and forein invasions, upon this condition: that the English should find them victuals and cloaths.

(i) *Historiarum*
l. 6. p. 261.
Chron. Johan.
Bromton. col.
891.

Henry Huntindon censures this accord, with the Danes, as made overlate. *Tunc vero Rex nimis serò pacem fecit cum Dacorum exercitu, dans eis 8000 (misprinted for 48000) librarum; nunquam enim tempore opportuno pax fiebat, donec nimia contritione terra langueret.*

To what extremities King Ethelred was put to raise this and the other forementioned Tributes to the Danes, and to pay his own Captains besides; and how much the Monasteries were taxed, oppressed, exhausted of all their moneys, plate, wealth by the King, his Officers and the Danes, during these wars, by force and menaces, this memorable passage of *Abbot Ingulphus* will best inform us, not mentioned by any other Historians, which I purposely reserved, as properest for this place.

(k) *Ingulphi*
Histor. p. 890,
891, 892.

[k] 'In tempore itaque Domini *Osketuli* Abbatis *Croylandie*, cum sic Dani totam terram inquietarent, 'indigenæ de Villis & Vicis ad Civitates & Castella, ' & plurimi ad paludes, et lacum, loca invia refugientes, *Danorum* transitum et discursum pro anima præcavebant. Cœperunt tunc omnia terræ Monasteria a *Rege Ethelredo*, et Ducibus ejus ac Ministris *Gravissimis exactionibus* subiecti, et ad satisfaciendum *Danice* Tributis pro inmensis pecuniarum summis sibi impositis, su præ modum affligi: Et direptis thesauris, ac monasteriorum tam sacris calicibus, quam aliis jocalibus, etiam sanctorum Scrinia jubent ab exactoribus spoliari. Venerabilis ergo pater dominus *Osketulus* Abbas *Croilandie* 400. marcas pro talibus Tributis variis vicibus exolverat: et tandem 12. annis in officio pastoralis sanctæ ac strenuè consummatis, mortis sacræ compendio *Regias exactiones*, univer-

'soque

'solique seculi timores cum carnis depositione finaliter
 'exuebat. 12. Cal. Novemb. Anno scil. Domini 1005.
 'Cui successit ad Abbatis officium Venerabilis Pater
 'Abbas Godricus, electus et effectus Abbas in diebus an-
 'gustie, tribulationis et miserie; laboriosissimeque rexit
 'Monasterium 14. annis, sub prædicto rege Ethelredo :
 'Hujus Abbatis tempore cum Dani totius terræ ferè
 'obtinerent dominium, et iam per Ethelredum regem
 'et ejus Duces Edricum, Alf. icum, Godwinum et ali-
 'cos plures importabiles Impositiones pro Danorum
 'tributis persolvendis, ac aliæ Exactiones gravissimæ
 'ad eorundem Ducum expensas plurimas restauran-
 'das, quam per Anlafum et Sivanum, ac eorum exer-
 'citus de prædationes, despoliationes et destructiones
 'assidue fierent, sæpe multa Monasteria de omni De-
 'nario emunda sunt. Non tamen exati v's ultimam
 'quadrantem se extorsisse credere voluerunt. Ita hinc re-
 'ligiosi, quo magis premebantur magis putabantur ha-
 'bentes, magis putabantur abundantes. Hinc venerabi-
 'lis Pater Abbas Godricus solvit primo Anno Regi E-
 'thelredo, 200 marcas: Ducesque sui pro suis expensis
 'similiter ducentas marcas extorquebant, præter minores
 'sumptus, qui quotidie Regis ministris irrudentibus conti-
 'nue fiebant. Secundo, tertio ac quarto anno similiter actum
 'est. Tertio enim anno pro Extremis per omnes por-
 'tas Fabricandis, et Sabali Militia cum victualibus,
 'et aliis necessariis exhibenda, Ducentæ Libræ exactæ
 'sunt. Quarto etiam anno cum Turketulus, Danicus
 'Comes cum fortissima classe applicuisset. Pro centum
 'Libris missum, et ad solutionem per exactores cru-
 'dellissimos commissum est. Di'currenteque Dani
 'tunc per provincias, omnia mobilia diripientes, im-
 'mobilia cremantes, Draifon, Katenham, et Hokeon
 'maneria Croylandie, cum toto Comitatu Cantabrigie
 'direpta, ignibus tradiderunt. Sed hæc nuntia sunt
 'malorum. Quippe cum quolibet anno sequente qua-
 'ter centum Marcæ Regis exactionibus et Ducum
 'suorum

'suorum sumptibus communiter solberent, rex Swa-
 'nus veniens cum classe recenti exercitu ferocissimo
 'tunc omnia depopulatur. Irruens enim de *Lindesia*,
 'vicos cremat, ruiticos eviscerat, religiosos omnes va-
 'riis tormentis necat : tunc *Baston* et *Langtoft* flammis
 'donat. Is erat annus Domini 1003. Tunc monasteri-
 'um Sanctæ *Pega* omniaque sua contigua maneria, sci-
 'licet *Slington*, *Northumburtham*, *Makesey*, *Etton*, *Ba-*
 '*dington*, & *Bernake*, omnia una vice combusta, tota fa-
 'milia casa, vel in captivitatem ducta. Abbas cum
 'toto comitatu nocte fugiens et navigio in *Croylandi-*
 '*am* veniens, salvatus est. Similiter Monasterium
 'Burgi, villæque vicinæ ac maneria sua, *Ege*, *Thorp*,
 'Walton, *Witherington*, *Paston*, *Dodifsthorp*, et *Castre*, pri-
 'us omnia direpta, postea flammis tradita sunt. Abbas
 'cum majore parte conventus sui assumptis secum sa-
 'cris reliquiis sanctarum Virginum, *Kineburga*, *Ki-*
 '*neswithe* ac *Tibba* Thorniam adiit. Prior autem cum
 'nonnullis fratribus, assumpto secum brachio sancti
 'Oswaldi regis, ad insulam de *Hely* aufugit. Subprior
 'vero cum 10. fratribus ad *Croylandiam* venit feliciter.
 'Illo anno ex frequentibus fluviis inundationes excre-
 'verunt, et vicinas paludes, circumq; jacentes mariscos
 'immeabiles reddebant. Ideo totus mundus advenit,
 'populus infinitus affluxit; Chorus et claustrum reple-
 'bantur Monachis, cætera Ecclesia sacerdotibus et clerici-
 'cis, Abbatia tota laicis, cæmeteriumq; nocte ac die sub
 'tentoriis mulieribus et pueris : fortiores quicumque
 'inter eos ac juvenes in ulnis et alnetis ora fluminum
 'observabant : erantque tunc quotidie (ut cætera one-
 'ra taceantur) 100 Monachi in mensa. Super hæc om-
 'nia, per nuncium Rex *Swannus* Monasterio *Croylan-*
 '*dæ* mille *sparcas* imposuit, et iuxta pœna combustio-
 'nis totius Monasterii solutionem dictæ pecuniæ certo
 'die apud *Lincoln* assignavit ; infraque tertium mensem
 'post solutionem hujus pecuniæ, iterum pro victualibus suo
 'exercitui providendis exactores nequissimi mille *sparcas*
 'imposuit.

minis martiris extorquebant. Ventilatum est tunc
 et ubique vulgatum crudele martyrium S. Elphegi
 Archiepiscopi Doroberniæ, qui quia summam pecunia
 excessivam sibi impositam pro sua redemptione solvere de-
 tractavit, belluina Dacorum ferocitas eum acerbissimo
 tormento crudeliter interemit. Omnes fera tempora fle-
 bant, felices qui quocunque modo in fata processerant.
 Abbas Godricus maximè, cui cura tanti populi incum-
 bebat et quem Rex Ethelredus cumulos argenti habe-
 re existimabat. Danicus vero Swannus, suusque totus
 exercitus ei, tanquam Domino de manibus eorum re-
 fugientium, juges insidias et minas semper maximas
 ingerebat. Demum expensis internis et exactionibus
 externis totus thesaurus Domini Larketuli Abbatis
 distractus est, horrea amborum Egelricorum de m. lita-
 runt, cum adhuc Regi exatores pro pecuniis quoti-
 die fruerent. Et eum tanquam patriæ proditorem, et Da-
 norum provisorem regi in proximo cum dignis compedibus
 deducendum, et suppliciis tradendum pro suis demeritis af-
 firmarent. Percussus ergo venerabilis Pater Abbas
 Godricus dolore cordis intrinsecus pro tot minis terri-
 bilibus, convocat totum suum conventum; et nun-
 tians nummos Monasterio deficere, orat et exorat,
 quatenus doceant et decernant in medio, quid contra
 nequam seculum magis expediat faciendum? Tandem
 longo tractatu placet hæc sententia cunctis, aliquem
 Ministrorum seu satellitum Edrici Ducis Merciorum
 conducere, et cum pecuniæ deficerent, terris et tene-
 mentis ad terminum vitæ concedendis, in suum defensorem
 contra imminens pericula obligare. Erat enim ille
 Edricus potentissimus post regem in terra, et cum re-
 ge Ethelredo, et cum Swano rege Danorum familiarissi-
 mus, et postea cum Cnuto filio suo. Conductus est
 ergo quidam maximus satellitum dicti Ducis Edrici
 nomine Normannus, sanguine summe clarus, filius, vi-
 delicet Comitis Lefwini, et Frater Leofrici nobilis
 Comitis Leicestrie, dato sibi (prout postulabat) ma-
 nerio

nerio de *Badby*, ad terminum 100. annorum. Ille dictum manerium acceptans, tenere de Sancto *Guthlaco* per firmam in grano piperis per annum in festo S. *Bartholomaei* singulis annis persolvendo, fideliter promittebat, et se futurum procuratorem ac protectorem Monasterii contra omnes adversarios confecto inde chirographo obligabat. Valuit illud Monasterio aliquanto tempore, scilicet omnibus diebus vite suae.

By which passages it is apparent, what Taxes, exactions, preditures the Monasteries and others suffered both from King *Ethelred* his Captains and Officers on the one side, and from the *Danes* on the other side; and how they were enforced to hire and bribe great Souldiers and Courtiers, by leases and monies, to protect them from utter ruine.

(1) *History of Great Britain*, p. 416.

John Speed affirms, That the Clergy as backward as any, denied to King *Ethelred* their assistance, pleading their exemptions from warr, and privileges of the Church, when the Land lay bleeding and deploring for help, and scandalized all his other proceedings for demanding their aydes. But this passage of Abbot *Ingulphus* so near that age, out of the Register Books of *Croyland* (whereof he was Abbot not long after) proves they paid great annual contributions to the King and his Officers, which consumed all their money, plate, Jewels, Chalice, and the very shrines of their Saints, notwithstanding all Charters and exemptions. And as for the Laity,

(m) *De Gestis Reg. 1. 2. c. 10. Proposit. 1, 4.*

William of *Malmesbury*, *Radulphus Cistrensis*, Mr. Fox, and others write. That King *Ethelred* had such a condition, that he would lightly disinherit Englishmen of their lands and possessions, and caused them to redeem the same with great sums of money, and that he gave himself to polling of his Subjects, and framed Trepasses for to gain their money and goods, for that he paid great Tribute to the *Danes* yearly. Whereby he lost the affections of the people, who at last deserted him, and submitted

mitted themselves to the Danish Invaders, who usurped the Sovereign power, and forced him out of England with his Queen and Children. These Unrighteous Oppressions, Dis-inherifons, and Exactions of his were specially provided against by his Nobles, Prelates, and VVise-men in the (n) Councils of *Enham* and *Habam* foreci-

(n) *Spelm. Concil. p. 530. 531. Chron. Joh. Bromt. col. 901, 902, 903.*

ted, by special Laws, and special excellent Prayers and Humiliations prescribed to be made to God to protect them from his judgements, and the invading, oppressing, bloody Danes, worthy perusal; yet pretended necessities and VVar, laid all those Laws asleep.

In the year of Christ 1013. (the very next after the Englishmens dearest purchased Peace, which the perfidious gold-thirsty Danes never really intended to observe) King *Swain*, by the secret intligation of *Turkel the Dane* (whom King *Ethelred* unadvisedly hired to guard him with his Danish ships from forein Invasions) who sent him this Message, (o) *Angliam praeclaram esse patriam & opimam, sed Regem stertere illum Venere Vinoque studentem, nihil minus quam bellum cogitare:*

Anno 1013. (o) *Malmesh. de Gestis Reg. l. 2, c. 10. p. 69.*

Quapropter odiosum suis, ridiculum alienis, Duces invados, Provinciales infirmos, primo stridore Lituorum praelio cessuros, (p) arrived at *Sandwich* with a great Fleet and Army of Danes, in the Moneth of July; where resting themselves a few days, he sailed round the East part of England, to the mouth of *Humber*, and from thence into the River of *Trent*, to *Gainsborough*, where he quitted his ships, intending to waste the Country. Hereupon, first of all Earl *Uhtred* & the *Northumbria's*, with those of *Lindefey*, presently without delay, and after them the Freelingers with all the people in the Northern parts of *Wailingstreet*, having no man to defend them, yeilded themselves up to *Swain* without striking one stroke: and establishing a peace with him, they gave him Hostages for their loyalty, and swore Fealty to him as their Sovereign. Whereupon he commanded them to provide hortes and victu-

[p] *Malmesh. wigorn. Mat. westm. Sim. Dunelm. Radulphus de Diceto. Huntind. Hoveden, Ingulphus, Polychron. Fabian, Grafton, Holinshed, Speed, Daniel, Fox.*

als for his Army, which they did. *William Malmesbury* observes, that the *Northumbrians* thus unworthily submitted to *Swain* his Government; *Non quod in eorum mentibus genuinus ille calor, & Dominorum impatiens refrigeris, sed quod Princeps eorum Uthredus primus exemplum defectionis dederit.* Whose example drew on all other parts. *Illis sub jugum missis cæteri quoque omnes populi qui Angliam ab Aquilone inhabitant vectigal et obsequia dederunt.* A very strange and sudden change, conquest, without a blow. *Swain* committing his Navy and Hostages to his son *Cnut*, raised chosen Auxiliaries out of the *English*, who submitted to him, and then marched against the *Southern Mercians*. Having passed *Watlingstreet*, he by a public Proclamation commanded his Soldiers, to waste the Fields, burn the Villages, cut down the Woods and Orchards, spoil the Churches, kill all the Males that should come into their hands, Old and Young, without shewing them any mercy, reserving only the Females to satisfy their lusts, and to do all the mischiefs that possibly they could act. Which they accordingly executed, raging with beastly cruelty. Marching to *Oxford*, he gained it sooner than he imagined by surrender: taking Hostages of them, He posted thence to *Winchester*: Where the Citizens extraordinarily terrified with the excessiveness of his cruelty, immediately yeelded, and made their peace with him; they and the whole Country giving him such and so many hostages as he desired, for his security, and likewise swearing allegiance to him. Only the *Londoners* defending their lawfull King within their walls, shut the Gates against him. From *Winchester* *Swain* marched with great glory and triumph to *London*, endeavouring by all means, either to take it by force, or surprize it by fraud. At his first arrival he lost many of his Souldiers, who were drowned in the River of *Thames* through overmuch rashness, because they would neither seek for Bridge nor ford to pass over it.

King

King *Ethelred* being then within the City, and having no other refuge, the Citizens closing their Gates manfully defended their lawfull King and City against the assailants. Who encouraged with the hope of glory, and great boory, fiercely assaulted the City on all sides, but were all most valiantly repulsed by the Citizens, through the assistance of valiant Earl *Turkel*, then within it; the *Danes* sustaining great loss of men, who were partly slain, and partly drowned, the Citizens not only repulsing them from the Walls; but likewise falling forth, and slaying them by heaps, so that *Swain* himself was in danger to be slain, had he not desperately ran through the midst of his Enemies, and by flight escaped their swords. (q) *Malmesbury* thus writes of the Citizens, *Oppidani in mortem pro libertate tuebant, nullam sibi veniam futuram arbitantes, si Regem desererent, quibus ipse vitam suam commiserat. Itaque cum utrinque acriter certaretur, Justior causa victoriam habuit, Civibus magna ope conantibus, dum unusquisque sudores suos, Principi ostentare, et pro eo pulchrum putaret eum: Hostium pars prostrata, pars in flumine Thamesi necata.* Hereupon *Swain* despairing to take the City, marched with his torn shattered Army, first to *Wallingford*, plundering and demolishing all things they met with in their way, after their wonted manner, and at last they came to *Bath*; where *Ethelmer* Earl of the West Country, with all his people came and submitted to him, giving him hostages for their loyalty. Having thus finished all things according to his desire, he returned with his Hostages to his Navy, being both called and reputed King by all the People of England (London excepted) *si Rex jure queat vocari, qui fere cuncta Tyrannice faciebat, write Florence of Worcestre, & Simeon Dunelmensis veru caute non sly, Nec adhuc flecterentur Londinenses tota jam Anglia in clientelam ejus inclinata, nisi Ethelredus prasentia eos destitueret sua: as Malmesbury observes.*

(q) De gestis
Regum l. 2. c. 10. p. 69.

Proposit. 8.

King *Ethelred* being a man given to sloathfullness, and through consciouness of his own demerits, very fearful (deeming no man faithfull to him, ^(r) by reason of the tragical death of his Brother *Edward*; for which he felt this Divine revenge, not daring to raise an Army, not fight the Enemy with it when raised, **De Nobilibus Regni quos injuste exheredaverat**, lest the Nobles of the Realm, whom he had unjustly dis-inherited, should desert and deliver him up to the Enemy;) declining the necessity of war, and of a new siege, most unworthily deserted the *Londoners* (his faithfull valiant Subjects and Protectors in the midst of their dangers & Enemies, flying away secretly from them to *Hampshire*, by secret journies, from whence he sailed to the Isle of *Wight*. Hereupon the *Londoners*, (*f*) *Laudandi prorsus viri & quos Mars ipse collata non sperneret hostes, si Ducem habuissent, Cujus dum vel sola umbra protegerentur totius pugna, aleam, ipsam obsidionem etiam non paucis mensibus luserunt*) Seeing themselves thus unworthily deserted by their Sovereign in their extremities, moved by the example of the rest of their Countrymen, submitted themselves likewise to King *Swain*, sending Hostages to, and making their peace with him; the rather, for that they feared *Swain's* fury was so much incensed against them, for his former shamefull repulses by them, that if they submitted not to him of their own accords, he would not only spoil them of all their goods, but likewise command either all their eyes to be pulled out, or their hands and feet to be cut off, if he subdued them by force. (*t*) *John Speed* (a Great Britain, gainst the current of other Historians) informs us; That *Swain* after his repulse from *London*, having received a certain sum of money, went back into *Denmark*, for want of victuals, and to recruit his shattered Army, whence returning soon after, he was immediately met by the *English*, where betwixt them was struck a fore battel, which had been with good success, had not

(*r*) *Matthew Westmin. An. 1013. p. 393. Malmesbury, l. 2. c. 10. Huntingd. p. 432. Sim. Dunelm. p. 169.*

[*f*] *Malmesb. de Gestis Reg. l. 1. c. 10.*

[*t*] *History of Great Britain, p. 420, 421. & Edit. 1611. p. 378, 379.*

not the Treason of some hindred it, in turning to the Danes. King Ethelred therefore seeing himself and the Land betrayed on this manner, to those few true English that were left, used this Speech as followeth.

'If there wanted in me a fatherly care, either for the defence of the Kingdom, or administration of Justice in the Commonwealth, or in you, the carriage of Soldiers for defence of your Native Country, then truly silent would I be for ever, and bear those calamities with a more dejected mind : but as the case stands (be it as it is) I for my part am resolved, to rush into the midst of the Enemy, and to lose my life for my kingdom and Crown. And you (I am sure) hold it a worthy death, that is purchased for the Liberties of yourselves and kinred; and therein I pray you, let us all die; for I see both God and destiny against us, and the name of the English Nation brought almost to the last period: for we are overcome, not by weapons and hostile warr, but by Treason and domestick falshood : our Navy betrayed into the Danes hands, our battel weakned by the revolt of our Captains, our designs betrayed to them by our own Counsellers, and they also inforcing composition of dishonourable Peace : I my self disesteemed, and in scorn termed, Ethelred the unready : Your valour and loyalty betrayed by your own Leaders, and all our poverty yearly augmented by the payment of their Danegelt; which how to redress God only knoweth, and we are to seek. For if we pay money for peace, and that confirmed by Oath, these Enemies soon break it, as a people that neither regard God nor man, contrary to equity and the Laws of War, and of Nations; and so far off is all hope of better success, as we have cause to fear the losse of our kingdom, & you the extinction of the English Nations revenue. Therefore seeing our enemies are at hand, and their hands at our throats, let us by fore-fight and counsel save our own lives, or else by courage sheath

Proposit. I.

‘our swords in their bowels, either of which I am willing to
‘enter into, to secure our Estate and Nation from an ir-
‘recoverable Ruine. After which Speech he and his
Army retreated, and gave way to the prevailing Ene-
my.

(u) Ann. 1013.
p. 393. *Huntin-*
don, p. 452.

Swain herepon selling all things according to his
own will, when as he knew, that no man durst resist
him, commanded himself to be called **King of England**,
Domini non fuit alius qui pro sure regni decertare, vel
se regem confiteri ausus fuisset, as (u) *Mart. Westmin-*
ster, and others write. Such a strange fear and stu-
pidity was then fallen upon *Ethelred* and the whole
English Nation. After this *Ethelred* privily departed
from *London* to *Hampton*, and from thence to the Isle of
Wight as aforesaid, where advising with the *Abbots*,
and *Bishops* there assembled in *Council*, what course was
best to steer, he spake thus unto them, the History

(x) *De Gestis*
Regum, l. 2. c.
10. p. 69, 70.

Proposit. 8.

whereof I shall fully relate in (x) *William* of *Malmes-*
bury his words. ‘*Ibi Abbates et Episcopos. Qui nec in*
tali necessitate Dominum suum deserendum puta-
rent, in hanc convenit sententiam. Viderent quam in
‘angusto res essent suæ, et suorum se perfidia Ducum
‘abstulissent solto, et opis egentem alienæ, in cu-
‘jus manu aliorum solebat salus pendere: quondam
‘Monarcham et Potentem, modo miserum et exulem:
‘dolendum sibi hanc commutationem, quia facilius to-
‘leres opes non habuisse, quam habitas amisisse. Pu-
‘dendam Anglis eo magis, quod deserti Ducis exem-
‘plum processurum sit in orbem terrarum. Illos a-
‘more sui sine sumptibus voluntariam subeuntes fugam,
‘domos et facultates suas prædonibus exposuisse, in
‘arcto esse victum omnibus, vestitum deesse pluribus:
‘probare se fidem filiorum, sed non reperire salutem,
‘adeo jam subjugata terra, observari littora, ut nul-
‘quam sine periculo sit exitus. Quapropter confide-
‘rent in medium, quid censerent faciendum. Si ma-
‘neant, plus a Civibus cavendum quam ab Hostibus;

‘*for* itan enim crucibus suis nobi domini gratiam mer-
 ‘*carentur*; et cerie occidi ab holte titulatur fortune,
 ‘*probi a Cbe addicetur Ignavia*. Si ad exteras gentes
 ‘*fugiunt* gloriæ fore dispendium; si ad noras, metuen-
 ‘*dum ne cum fortuna colerent animum*. Pluresque e-
 ‘*nim probos et illustres viros* hac occasione caros, ex-
 ‘*periendum tamen sortem et tentandum pectus Richar-*
 ‘*di Ducis Normannorum*, qui si Sororem et Nepotes
 ‘*non ingrato animo susceperit*, se quoque non asper-
 ‘*nanter protecturum*. Vadabitur enim mihi meam fa-
 ‘*lutem coniugi et liberis impensus favor*. Quod si il-
 ‘*le adversum pedem contulerit*, non deerit mihi ani-
 ‘*mus*, planè non deerit, hic gloriosè occumbere, quàm
 ‘*illic ignominiosè vivere*.

Hereupon he sends *Emma* his Queen and her chil-
 dren in the moneth of *August* into *Normandy*, accom-
 panied with the *Bishop of Durham*, and *Abbot of Burgh*,
 where they are joyfully received by Duke *Richard*,
 who invites *Ethelred* himself to honour his Court with
 his presence; who thereupon in *January* following
 passeth over into *Normandy*, and there solaceth his mi-
 series with the curteous entertainment he there found.

(y) King *Swane* in the mean time provokes invaded (y) *Wigorn.*
England with ruines and slaughters, playes the absolute
 Tyrant, commands Provisions to be abundantly provi- *Sim. Dunelm.*
 ded for his Army and Navy, et *Tributum fere impoz-* *Huntindon,*
tabile solvi præcepit, and like wile commanded an in- *Hoveden, Ka-*
 supportable Tribute to be paid: And the like in all *dul. de Diceto,*
 things *Earl Turkel* the Dane, commanded to be paid *Polychronicon,*
 to his Navy lying at *Greenwich*, hired by King *Ethelred* *Malmesb. l. 2.*
 to defend the *English* from Foreigners; yet both of them *c. 10. p. 70.*
 as often as they pleased preyed upon and pillaged the *Mat. westm. p.*
 Country besides, first polling the inhabitants of their *394. Bromton,*
 goods, and then banishing them. *Provincialium sub-* *Knyghton, Fa-*
stantia prius abrepta, mox proscriptiones factæ. In this *bian, Grafton,*
 sad oppressed condition under their New Sovereign, to *Holinshed,*
 whom they had submitted themselves, both Nobles *Speed, Daniel,*
 and *Propos. 1, 4.*

and people knew not what to doe. *Hisse thar passur-
 bibus quid fieret: si pararetur rebellio, assertorem non ha-
 berent; si eligeretur subiectio, placida rectore carerem.*
*Ita privata et publica opes ad naves cum obsidibus deporta-
 bantur. Quo evidenter apparet Swenum naturalem
 et legitimum non esse Dominum, sed atrocissimum
 Tyrannum,* *as Matmesbury, Maubew Westminster, and
 others record.* But God who is propitious to people
 in their greatest extremities, suffered not *England* to
 lye long fluctuating in so many calamities. For this
 barbarous Tyrant *Swane*, after innumerable evils and
 cruelties perpetrated in *England* and elsewhere, added
 this to the heap of his further damnation, that he *Ex-
 acted a great Tribute* out of the Town of *St. Edmonds-
 bury*, Anno 1014. which none ever before presumed
 to doe, since it was given to the Church wherein the
 body of the precious Martyr *St. Edmond* lieth intomb-
 ed, *all the lands thereof being exempted from Tributes.*
 Beginning to vex the possessions of the Church; and
 threatening to burn the Town and destroy all the Monks
 unless they speedily paid him *the Tribute he exacted,*
 and using reproachfull speeches against *St. Edmond*, as
 having no holiness in him, he was suddenly struck
 dead and ended his life on the Feast of the Purificati-
 on of the blessed Virgin, Anno 1014. Our Monkish
Historians record, That on the Evening of the day
 whereon he held a general Court at *Georgestown*, re-
 iterating his menaces against the Town, and ready to
 put them in execution, *for not paying the Tribute deman-
 ded,* he saw *St. Edmond* comming alone armed against
 him, whiles he was invironed in the midst of his Da-
 nish Troops; whereupon he presently cried out with
 great affright and a lowd voice; *Help O fellow Souldi-
 ers, help, behold St. Edmond comes to slay me:* and
 whiles he was thus speaking, being grievously wound-
 ed with a spear by the Saint, he fell off from his horse,
 and continued in great torment till night, and so en-
 ded

Proposit. I.

ded his life, with a miserable death.

(2) *Swane* being dead, the whole Navy and Nation of the *Danes*, **Elected and made** *Cnut* his son their **King and Lord**: but *Majores patu totius Angliæ*; The **Poples and Senators of all England** liking nothing less than bondage, especially under such new tyrannizing forein Intruders, thinking it now or never the time to shake off their new yoke, pronounced their **Natural Lord**, to be dearer to them than any **Foreiner**, *Si regalius se quam consueverat ageret*. Whereupon **with unanimous consent**, and great joy and speed they sent messengers into *Normandy* to *Ethelred* to inform him; *Nullum eo libentius se in Regem recepturos, si ipse vel rectius gubernare, vel mitius eos tractare vellet quam prius tractaverat*: and to hasten his return unto them. Who thereupon presently sent over his son *Edward*, *qui fidem Principum, favoremque vulgi prasens specularetur*: who together with his Embassadors, assured both the Nobles and Commons of the English Nation; *That he would for time to come be their mild and devout Lord, consent to their wills in all things, acquiesce in their Counsels, and if he had offended in any kinde, he would reform it according as they should think fit, and with a ready mind pardon whatsoever had been contemptuously or disgracefully spoken or acted by them, against him or his, if they would all unanimously receive him again as their King into the Kingdom*. To which they all gave a favourable and satisfactory answer: Whereupon a ple-nary reconciliation was ratified between them on both sides, both by words and compact. Moreover (a) **The Poples unanimously and freely agreed and voted, That they would never more admit a Danish King into England to reign over them**. These things concluded, King *Ethelred* speedily returns into *Eng-land*, where he was honourably and joyfully received *Florentius wigorniensis, p. 381. Henry Huntindons p. 433. Simeon Dunelmensis, Hist. col. 171.*

Anno 1014.
[2] Malmesb.
Huntind. Hove-
den, wigorn.
Sim. Dunelm.
Radulphus de
Diceto, Mat.
Westmin. Poly-
chron. Bro. nton,
Fabian, Graf-
ton, Speed, Da-
niel, Knighton,
Proposit. 1, 5,
6, 8.

(a) *Ad hec
Principes, se
non amplius
Danicum Re-
gem admissuros
in Angliam u-
nanimiter spo-
sponderunt.*

by the English. And that he might seem to call off his former sloathfulness, he hastned to raise an Army against *Cnute*, who remaining with his Navy in *Lindesey*, made an agreement with the inhabitants, exacting men and horses from them, that he might surprise *Ethelred* at unawares, and threatening grievously to punish all such as revolted from him. But *Cnute* being taken in his own craft, (*Ethelred* marching thither with a strong army before he was provided to receive him) fled from thence with his Hostages, Army and Navy to *Sandwich*; whereupon *Ethelred* depopulated all *Lindesey*, wasting the Country with fire and sword, slaying all the Inhabitants (as Traitors to him and their Native Country;) *Cnute*, by way of revenge, *humano et divino Jure contempto* in insontes grassatus, cuts off the hands and ears, and ilits the Noses of all the most Noble and beautiful Hostages throughout *England*, given to his father, and so dismissing them, sailed into *Denmark* to settle his affairs and augment his forces, resolving to return the

(b) *Sim. Dunelmensis, Florent. wigorn. p. 382.*

Proposit. 1.

year following. After his departure, (b) King *Ethelred* this very year. *Super hac omnia mala Classique apud Greenwich tacuit Tributum quod erat 30. milia librarum, pendit mandavit;* to wit, to the Fleet under *Turkell* the Dane, who instead of defending, did but help to pillage and oppress the English: *Huntindon* writes, it was but 21 thousand pounds; and *Bromton* avers, that it was *Cnute*, not *Ethelred*, who commanded it to be paid to his Navy. Soon after which, the Sea rising higher than it was accustomed, drowned an innumerable Company of Villages, people, and cartel.

Anno 1015.

(c) *Malmsbury l. 2. c. 10. p. 71. wigorn. p. 382. Mat. westminster. p. 395.*

Hoveden, p. 433. Polychronicon, Fabian, Grafton, Holinshed, Speed.

T. M.

TUM: *Matthew Westminster* and others, *MAGNUM COLLOQUIUM*; our later English Historians, a *Great Council and Parliament*. The King by the ill advise of that Arch Traytor Duke *Edric* at this Great Council, commanded some Nobles of the *Danes* to be sodenly and secretly slain, *quasi de Regia prodicione notatos ac perfidia apud se insimulatos*, the chiefest of them were *Sygeforth* and *Morcar*, whom *Edric*, treacherously invited to his chamber, and there making them drunk, caused his armed guards there placed secretly to murder them, which they did. Hereupon their Servants endeavouring to revenge their Lords deaths (being *digniores et potentiores ex Scovengensibus*) they were repulled with arms, and forced to flye into the Tower of St. *Frideswides* Church for safety; whence when they could not be forcibly expelled, they were all there burnt together. The King presently seised upon their lands and goods (the chief cause of their murder, as some conceived) and sent the relict of *Sygeforth* (a very Noble, beautifull and vertuous Lady) prisoner to *Malmsbury*: whither *Edmond* (the Kings base Son, as some affirm,) posted without his fathers privity, and being enamored with her beauty, first carnally abused, then after ward married her; and by her advice forcibly invaded and seised upon the Lands of her husband and *Morcar*, which were very great, and the Earldom of *Northumberland*, which his father denied him upon his request: Wherenpon all the Inhabitants of that County readily submitted to him. Whiles these things were acting, (d) *Cnut* having settled his affairs in *Den-* (c) *Malmsbury, wigorn. Sim. Dunelm. Radulphus de Diceto, Huntingdon, Hoveden, Bromton, Polychronicon, Fabian, Holinshed, Grafton, Speed,*
mark, and made a League with his neighbour Kings, recruited his Army and Navy, and returned into *Eng-*
land, with a resolution, *either to win it, or to lose his life*
in the attempt. Ariving first at *Sandwich*, and sailing
thence to the West, he pillaged *Dorsetshire, Somerset-*
shire, and Wiltshire, filling all places with slaughters and
plunders. King *Ethelred* lying then sick at *Cosham*,
his *Daniel*.

his son *Edmond Ironside*, and Duke *Edric*, raised an Army against *Cnut*; but when both their forces were united to fight him, the old perfidious Traytor *Edric* endeavoured by all means to betray *Edmond* to the *Danes*, or treacherously to slay him; which being discovered to *Edmond*, thereupon they severed their forces from each other, and gave place to the Enemies without giving them battel. Not long after *Edric* inticing to him 40 of the Kings ships furnished with *Danish* Mariners and Souldiers, openly revolted, and went with them to *Cnut*, subjecting himself to his dominion as his Sovereign: by whose example all *West-Sex* submitted to him as their King, delivering him hostages for their fidelity, resigning up all their arms to him, and providing both horse and arms for his *Danish* Army. The *Mercians* offered themselves alone to resist the *Danes*, but through the Kings sloathfulness, the business of war received delay, and the enemies proceeded in their rapines without opposition.

Anno 1016.

In the year 1016, King *Cnut*, and treacherous Duke *Edric*, came with 200 sail of ships into the river of *Thames*, whence they marched by land with a great Army of horse and foot, and invaded *Mercia* in an hostile manner, burning all the Towns and Villages, and slaying all the men they met with in *Warwickshire* and other places; whereupon King *Ethelred* (as *Humindon*, *Wigorniensis*, and others record) made an

Proposit. 3, 8. Edict, Ut quicumque Anglorum sanus esset, secum in bello procederet, That every Englishman who was in health, should go with him in battel against the *Danes*. An innumerable multitude of people upon this assembled together to assist him: But when his and his son *Edmonds* forces were conjoynd in one body, the King was informed, that some of his auxiliaries were ready to betray and deliver him up to the enemies, unless he took care to prevent it and save himself: and as some write, the *Mercians* refused to fight,

fight with the *West-Saxons* and *Danes* ; whereupon the expedition was given over, and every man returned to his own home. After this *Edmund Ironside* raised a greater Army than before against *Cnute*, and sent Messengers to King *Ethelred* to *London*, to raise as many men as possible he could, and speedily to come and joyn with him against the *Danes* ; but he, for fear of being betrayed to the Enemy, presently dismissed the Army without fighting, and returned to *London*. Hereupon *Ed. Ironside* went into *Northumberland*, where some imagined he would raise a greater Army against *Cnute* the *Dane* ; but he and *Uhtred* Earl of *Northumberland*, instead of incountring *Cnute*, wasted the Counties of *Stafford*, *Shrewsbury* and *Leicester*, because they would not go forth to fight against the *Danes* Army, in defence of their Country and King. *Cnute*, on the other side wasting with fire and sword the Counties of *Buckingham*, *Bedford*, *Huntindon*, *Northampton*, *Lincoln*, *Nottingham*, and after that *Northumberland*: Which *Edmond* being informed of, returned to *London* to his Father, and Earl *Uhtred* returning home, being compelled by necessity, repaired to *Cnute*, and submitted himself to him, with all the *Northumbrians*, making a Peace with him, and giving him hostages for performance thereof, and for his and their fidelity. Not long after *Uhtred* and *Turketel*, Earls of *Northumberland*, were both treacherously slain by *Turebrand* a *Dane*, by *Cnutes* command or Commission. Which done, *Cnute* made one *Hirc* (some stile him *Egric*) Earl of *Northumberland* in his place ; and then returned with all his army to his Ships in triumph, a little before the feast of *Easter*, with a very great booty. Not long after, King *Ethelred* (born to troubles and mischief,) after manifold labours, vexations, treacheries, and incessant tribulations, ended his wretched life in *London*, where he died *May 9th. Anno 1016.* being there buried in *St-Pauls Church*, finding rest in his Grave by death, which

Proposit. 8.

* *Exagitabant illum umbræ fraternæ, diras exigentes inferias, &c. Malmesbury De Gestis Reg. l. 2. c. 10.*

which he could never find in his Throne all his life, having attained it by Treachery, and his Brothers, Sovereigns murder * whose Ghost (as Malmesbury and others write) did perpetually vex and haunt him all his reign, and made him so subject to, and fearfull of plots and treacheries, that he knew not whom to trust, nor ever deemed himself secure, even in the midst of his oft raised Armies, Nobles, People, though ready to adventure their Lives for his defence.

I have related these Passages of the Danish wars; and invasions during Ethelreds reign, more largely than I intended. 1. Because on the Englishmens parts, they were meerly defensive of their Native Country, King, Laws, Liberties, Properties, Estates, Lives against forein Invaders and Usurpers. 2ly. Because they more or less relate to my forementioned Propositions, touching the fundamental Rights, Liberties, Properties, of the English Nation. 3ly. Because they shew forth unto us the true original grounds, causes, motives, necessities, and manner of granting the very first Civil Tax and Tribute mentioned in our Histories, by the King and his Nobles, in their General Councils, to the Danish invaders, to purchase peace, and the true nature, use of our antient *Danegelt*, and rectifie some mistakes in our common late English Historians.

Anno 1016.

(e) Florentius

Wigorn. p. 384.

Huntind. pars

1. p. 434. Sim.

Dunelm. Hist.

col. 173. Ra-

duiph. de D.

ceto Abbrev.

Chron. col. 446.

Chron. f.

Bromtor

903. l. de

Knyght. de

Eventib. Angl. l. 2. c. 2.

Polychron. Malinsh. Mar. westm. Fabian, Speed, Spelm.

Immediately after King Ethelreds decease [e] *Episcopi, Abbates, Duces, et quique Nobiliores Angliæ in unum congregati* (as Wigornien. s, Hoveden, Simon J. p. 434. Sim. Dunelmensis, Radulphus de Dicero. Bromton Or, *Parti* ma pars Regni, tam Clericorum quam Laicorum in unum congregati (as Matthew Westminster) Or, *Proceres Regni cum Clero*, (as Knyghton expresses *Parti consensu in Dominum et Regem Cantum eligere*: All the Bishops, Abbots, Dukes and Nobles of England, and the greatest part of the chief Clergy and Laity, assembled together (in a kind of

Par

Parliamentary Council) by unanimous consent elected Cnut for their Lord and King (notwithstanding their solemn Vow and Engagement but the year before , never to suffer a Danish King to reign over them) Whereupon they all repaired to Cnut to Southampton (f om. (f) wigorn.c. 304. Hoved. Annal.pars 1. p. 434. Sim. Dunelm. col. 173. Bromt. col. 903. Henry de Knyght. de Eventib. Augl. l. 2. c. 2. col. 2315. Ailredus de vita & mirac. Edward. col. 374. Se: Polyc. Fab. Holinshed. Graft. Speed. Proposit. 8 .

nemque Progeniem Regis Ethelredi, coram illo abhorrentes , et abnegando repudiantes (a; Wigornien- sis, Huntindon, Knyghton, and others record) and there in his presence abhorring and utterly renouncing and abjuring all the Progeny of King Eckelred, they submitted themselves, and swore fealty to him , as to their only King and Sovereign, he reciprocally then swearing unto them , That he would be a faithfull Lord unto them, both in things appertaining to God and the World , which our Historians thus exprels. *Quibus ille juravit, quod & secundum Deum, & secundum seculum fidelis illis foret Dominus.* Only the City of London, and part of the Nobles then in it, unanimously chose and cryed up Ed. Ironside, King Ethelreds 3. son, by Elgina his first Wife, Daughter to Duke Thored, as Speed and others relate, though Matthew Westminster, and others register his birth, *Non ex Emma Regina, sed ex quadam ignobili fœmina generatus, qui utique matris suæ ignobilitatem generis mentis ingenuitate & corporis strenuitate redintegrando redemit.* After Edmonds election, he was crowned King by Living Archbishop of Canterbury, at Kingston upon Thames (where our Kings in that age were usually crowned.) No sooner was he thus advanced to the Regal dignity, but he presently marched undauntedly into West-Sex, and being there received by all the People, with great gratulation and joy, he most speedily subjected it to his Dominion. Which being divulg'd in other parts, many Counties of England, deserting Cnut, voluntarily submitted themselves unto him, such is the fickleness of the People, & unconstancy of worldly power and affairs. (g) Cnut in the mean time

(g) Malmesb. Huntind. Wigorn. Sim. Dunelm. Mat. Westm. Radulph. de Diceto. Bromt. Polychron. Fab. Caxton, Grafton, Holinsh. Speed, Daniel, and others in the life of Edmond Ironside & Cnut,

time to be revenged of the *Londoners* for making *Edmond* King, marched to *London* with his whole Army and Fleet, besieged and blocked up the City with his Ships, drawn up the *Thames* on the West-side of the Bridge, and then drew a large and deep trench round about the City, from the Southside of the River; whereby he intercepted all ingress and egress to the Citizens and others, whom he shut up so close, that none could go in or out of the City, and endeavoured by many strong assaults to force it: but being still repulsed by the Citizens, who valiantly defended the walls, he left off the siege with great confusion and loss, as well as dishonor. Thence he marched with his Army into *Dorsetshire*, to subdue it: Where King *Edmond* meeting him with such forces as he could suddenly raise, gave him battel at *Penham* near *Gillingham*; where after a bloody and cruel encounter, he put *Cnut* and his Army to flight, and slew many of them. Not long after, they recruiting their forces, both Armies meeting at *Steorstan*, King *Edmond* resolving there to give *Cnut* battel, placed the most expert and valiantest of his Souldiers in the front; and the rest of the English who came flocking in to him, he kept for a reserve in the rear. Then calling upon every of them by name, he exhorted and informed them, **That they now fought for their Country, for their Children, for their Wives, for their Houses and Liberties**, inflaming the minds of his Souldiers with his excellent Speeches; in this battel with the Enemy, he exercised the Offices of a valiant Soldier, and good General, charging very courageously; But because that most perfidious Duke *Edric*, *Almar*, and *Algar*, and others of the great men, who ought to have assisted him with the Inhabitants of *Southampton*, *Wiltshire*, and innumerable other *English*, joyned with the *Danes*, the battel continued all day, from morning to night, with equal fortune, till both sides being tired out, and many

many of each party slain, the night constrained them to march one from another. But their blood not being cold, the next day they buckled together again, with no less courage than before; till at last, in the very heat of the battle, the most perfidious Duke *Edric* perceiving the *Danes* like to be totally routed, and the English in great forwardness of victory, cut off the head of a Soldier named *Osmeranus*, very like to King *Edmund* both in hair and countenance, and shaking his bloody sword, with the half gasping head in his hand, which he lifted up on high, cried out to the English Army: *O ye Dorsetshire men, Devonshire men, and other English, flee and get away, for your head is lost; behold here is the head of your King Edmund, which I hold in my hand, therefore hasten hence with all speed, and save your lives.* Which when the English heard and saw, they were more affrighted with the atrocity of the thing, than with the belief of the Speaker: whereupon all the more unconstant of the Army were ready to fly away. But *Edmond* having present notice of this treacherous stratagem, and seeing his men ready to give over the fight, halted where he might be best seen, and posting from rank to rank, encouraged them to fight like Englishmen: who thereupon resuming their courage, charged the *Danes* more fiercely than before; and bending their force against the Traitor, had shot him to death, but that he retreated presently to the Enemy, the English reviving, and manfully continuing the battle again till the darkness of the night caused both Armies voluntarily to retreat, from each other into their Tents. When much of the night was spent, *Cnut* commanded his men in great silence to break up their Camp, and marched to his Ships, and soon after, whiles King *Edmond* was recruiting his Army in *West-Sex*, besieged *London* again: whereupon *Edmond* marching to *London* with a select company of Soldiers, chased *Cnut* and his Army to their ships,

removed the siege, and entred the City in manner of Triumph. *Cnut* and *Edric* perceiving the valour and good success of *Edmond*, conspired together, to overcome him by *Treason*, whom they could not vanquish by *Armes*; for which end, *Edric*, before King *Edmonds* march to *London* (as some) or soon after, as others relate, feignedly revolted from *Cnut*, and submitted himself again to *Edmond*, as his natural Lord: and renewing his peace with him, fraudently swore that he would continue faithfull to him, only that he might betray him. *Edmond*, two days after he had chased the *Danes* from the siege of *London*, pursuing his victory, passed over the *Thames* at *Brentford*, where, though many of the *English* were drowned in passing over the River, through their carelesness, yet he there fought with the *Danes* the fourth (or rather fifth) time, routed them, and won the field. After which, *Edmond*, by the advice of *Edric*, marched again into *West-Sex*, to raise a more numerous Army, to supply those who were drowned and slain in this last battel: Upon which advantage, the *Danes* again returned to the siege at *London*, invironing, and fiercely assaulking it on every side; but being valiantly repulsed by the Citizens, they retired from thence to their ships, and sailed into the River of *Awe*; where leaping out of their ships, they went about pillaging in *Mercia*, killing all they met, and burning the Villages, returning to their ships with a great booty: Another company of their foot sailing up the River of *Meadway*, pillaged *Kent*, their Horse marching thither by Land to meet them, doing the like, wasting all places with fire and sword. King *Edmond* having in the mean time raised a strong Army out of all *England*, passed over with them again at *Brentford*, to fight the *Danes*, and giving them battel near *Oxford*, routed the whole Danish Army, not able to endure his fierce charge, and pursued them as far as *Illesford*, slaying many thousands of them in the pursute; and had he

he followed the pursuit further, it was conceived that day had put an end to the war and *Danes* for ever. But perfidious Duke *Edric* by his most wicked Counsel (the worst ever given in *England*) caused him to give over the chase. Whereupon the flying *Danes* escaped into the Isle of *Shepp*. *Edmond* returning into *West-Sex* to observe *Cnut*'s motion, he thereupon transported his forces into *Kent*, who began to plunder and waste *Mercia* far worse than ever they had done before: Whereupon King *Edmond* marching with his Army against them, gave them battel the sixth time, at *Esfedune*, (or *Assendune*) now *Ashdune* in *Essex*; where after a long and bloody fight, with equall valour, and great loss on both sides: King *Edmond* seeing the *Danes* to fight more valiantly than ever before, leaving his place (which usually was between the Dragon and Standard) ran into the very front of the battel, and breaking in like thunder upon the Enemy, brake their ranks, pierced into the very midst of them, and made way for others to follow him, forcing the *Danes* to give back; Which the ever traiterous *Edric* perceiving, fled with the whole Squadron of Souldiers which he commanded, unto *Cnut*, as was formerly agreed between them; wherupon the *Danes* becoming the stronger, made an extraordinary slaughter of the *English*; as *Matthew Westminster* and his followers story. *Henry Huntindon* relates, That *Edric* seeing the *Danes* going to ruine, cryed out to the *English* Army, Fly O *Englishmen*, fly *Englishmen*, for *Edmond* is dead (being not seen in his wonted place) and crying out thus, he and his Brigade first began the flight; whereupon the whole Army of the *English* following them, fled likewise. *Vigorniensis* informs us; that King *Edmond* before this battel, riding about to every Company, admonished and commanded them, that being mindfull of their pristine valour and victory, they should defend themselves and the Realm from the avarice of the *Danes*, being

now to fight with those they had formerly conquered. That perfidious Duke *Edric* seeing the *Danish* army inclining to flight, and the *English* about to gain the victory, began to fly with the *VVagsefensians*, and that part of the army which he commanded, as he formerly promised to *Cnut*, that circumventing his Lord *King Edmond* and the *English* army with deceits, he gave the victory to the *Danes* by his treacherie; and by the consent of all our *VVriters*, he here gave the greatest wound to the *English Nobility and Nation* that ever they received in any former battel, Duke *Alfric*, Duke *Godwin*, Duke *Ulfketel*, Duke *Æthelward*, Ailward son of Duke *Alke*, and all the flower of the *English Nobility*, together with *Eadnoth Bishop of Lincoln*, and *Abbot VVulfius*, (qui ad exorandum Deum pro milite bellum agente convenerunt) with an infinite number of common Souldiers being there slain in this fight and flight: qui nunquam ante in uno pralio tantam cladem ab hostibus acceperunt. Ibi Cauto Regnum expugnavit, ibi omne decus Anglorum occubuit, ibi flos patria totus amarcuit, *VVrites Malmesbury*, *Cnut* likewise on his side sustained an irreparable loss, both of his Dukes and Nobles.

After this lamentable loss, wherein so many Nobles fell, *Cnut* marching to *London* in triumph, took the Royal Scepters; whence departing into *Glocestershire*, in pursute of *Edmond* (who retreated almost alone to *Glocester*, and there recruited his broken forces) he wasted and pillaged the Country in his march. *King Edmond* resolved to give him another battel in a place called *Dierhurst*; where *Edmond* with his army being on the *VVest*-part of the River *Severn*, and *Cnut* on the *East* side with his army, both set in battel array, ready manfully to encounter each other, wicked Duke *Edric*, magnatibus convocatis, calling the Nobles of both parties together, spake unto them as followeth, as *Matthew Westminster*; and others accord, before any encounter; but *Abbot Estelred* records, that both

both Armies then fought a most bloody battel for one whole day from morning to night, an innumerable Company being slain on both sides, without any Victory; the night only causing them to retire, *ad similem ludum eundemque exitum die crastina reversuri*. Both Armies being wearied with this bloody sport, when they saw King *Edmonds* forces daily increasing, and *Cnutes* company likewise augmented out of foreign parts, by constant recruits, which he caused to be sent from thence,

Atterque Crevitus Proceres ad colloquium cogunt; both armies compelled their Nobles to a Conference; where one of them, being elder than the rest (which others affirm to be Duke *Edric*) requiring silence, spake thus unto them, as (b) *Abbot Ethelred* records his words.

(b) *Ethelredus Abbas, De Geneal. Regum Angl. coll. 363, 364. Polychronicon, l. 6. c. 17.*

‘I desire, O wise men, in these our dangers to give advice; who verily am inferiour to you in wisdom, but superiour to you in age, as these gray hairs testify, and peradventure what wisdom hath not, use hath taught me, and what science hath denied, experience hath conferred. Many things verily we have seen and known, many things moreover our Fathers have told us, and not without cause we require audience, that we may utter no doubtful sentence of things certain and apparent. A perillous thing is acted; we suffer evil things, we discern worse, we fear the worst of all. We fight daily, neither do we overcome, nor yet are we vanquished; yea we are overcome, and yet no man vanquisheth. For how are we not overcome, who are wounded, who are oppressed, who are wearied, who are distressed by forces, who are spoiled by arms? Neither flie we, since there is none who may assault us; neither do we assault, since courage fails on both sides. How long shall it be, ere we see an end of these wonderfull things? When shall there be rest from this labour, tranquillity from this storm, security from this fear? Certainly *Edmond* is invincible

'by reason of his wonderful fortitude; and *Cnut* also
 'is invincible by reason of fortune's favour. We are
 'broken in pieces, we are slain, we are dissipated, we
 'lose our dearest pledges, we expose our sweet friends
 'and alliances to death. But of this labour what fruit?
 'what end? what price? what emolument? what I pray,
 'but that the souldiers being slain on both sides, the
 'Captains at last compelled by necessity, may com-
 'pound? or verily fight alone, without a Souldier? Why
 'then not now? Truly while we live, while we breath,
 'whiles the Army remains this might be done more
 'profitably, honestly, securely. I demand, what insolence
 'yea violence, yea madness is this? *England* hereto-
 'fore when subjected to many Kings, both flourished
 'in glory, and abounded in riches. O ambition! how
 'blind is it alwaies, which coveting the whole, lo-
 'seth the whole? Why I pray, doth not that now suf-
 'fice two, which heretofore was sufficient for five
 'Kings? But if there be in them so great a lust of do-
 'mineering, that *Edmond* disdains a Peer, *Cnut* a Su-
 'perieur, *PUGNENT, QUÆSO, SOLI,*
 '*QUI SOLI CUPIUNT DOMINA-*
 '*RI: CERTENT PRO CORONA*
 '*[SOLI, QUI SOLI CUPIUNT INSIG-*
 '*NIRI*; let them fight, I beseech you, alone,
 'who desire to domineer alone; let them con-
 'tend for the Crown alone, who desire to be crow-
 'ned alone. Let the Generals themselves enter into
 'the hazard of a Duel, that even by this means one of
 'them may be vanquished; lest if the Army should
 'fight more often, all being slain, there should be no
 'souldiers for them to rule over, nor any who may de-
 'fend the Realm against Foreiners.

¶ Whiles he was about to speak more, ALL THE
 PEOPLE, shut up his Speech in the midst of his Jaws;
 if I may so speak, crying out and saying, *AUT PUG-*
NENT IPSI AUT COMPONENT, let them fight
 them-

themselves, or let them compound. His Speech recorded in *Bromton*, *Hen: de Knyghton*, *Speed*, and others, is much to the same effect, though different in some expressions.

(i) *Matthew Westmininster* brings in *Edric* speaking Anno 1016, only, thus to the Nobles. *O insensati Nobiles, et armis p. 400. potentes! cur toties morimur in bello pro Regibus, cum ipsi nobis morientibus, nec regnum obtineant, nec avaritia sua finem imponant. Pugnent consulto, singulariter, qui singulariter regnare contendunt. Qua est ista regnandi libido, Quod Anglia modo duobus non sufficit, quæ olim octo regibus satis fuit? Itaque vel soli componant, vel soli pro regno decertent. PLACUIT AUTEM HÆC SENTENTIA OMNIBUS, ET AD REGES PROCERUM DELATUM ARBITRIUM, ILLI CONSENTIENDO APPROBANT.* Hereupon all the Nobles concurring in this opinion, both Kings approving their Determination, fought a royal single duel, first on horseback, then on foot, in the Isle of *Ole-rence*, or *Olney*, (near *Glocester*) in the midst of *Severn*, in the view of both their Armies, with extraordinary courage, and equall success, till they were both quite tyred, but neither of them vanquished: At last upon *Cnutes* motion they began to parly in a friendly manner; *Cnute* speaking thus to *Edmond*. *Hitherto I have been covetous of thy Realm, now most valiant of men, I am verily more desirous of thy self, whom I see, art to be preferred, I say, not before the Realm of England, but the whole world it self. Denmark hath yielded to me, Norway hath subjected it self to me, the King of Swedes hath given me his hand, and thy admirable Valour hath more than once frustrated the force of my assaults, which I believed no mortal man could have been able to sustain. Wherefore although fortune hath promised that I should be every where a Conquerer, yet thy admirable valour hath so allured me to favour, that I above measure desire thee both for a friend and consort of my kingdome: would to God that thou also maist be as desirous of me, that I may reign with thee in*

England,

England, and thou maist reign with me in Denmark. Truly, if thy valour shall be united to my fortune, Norway will fear, and Sweden will quake: France it self; accustomed to warrs, will tremble. In brief, Edmond and Cnut both consent to divide the Kingdom: Edmond yielding to words, who had not yielded to swords, being overcome with this Oration, who could not be overcome with arms; whereupon, laying aside their arms, they run and mutually imbrace and kiss each other, both Armies rejoycing, and the Clergy singing Te Deum laudamus, with a lowd voice. Afterwards in testimony of Agreement, they change clothes and Arms with each other, and returning to their Ar-

* *Annal. pars prior*, p. 436.

mies, prescribed the manner of the Agreement and Peace. *Wigorniensis*, *Simeon Duxelmensis*, and * *Roger Hoveden* add, that they ratified the agreement with Oaths, *TRIBUTOQUE QUOD CLASSICÆ MANUI PENDERETUR STATUTO*; and appointed a Tribute which should be paid to the Sea forces, and then departed from each other. The Danes returned with the great booty they had gotten to their ships, with whom the Citizens of London having made a peace, *DATO PRECIO*; which they paid a price for, they permitted them there to winter. The Realm was divided between them both, but the Crown remained to Edmond, with the City of London, *Essex*, *East-England*, and all the Land on the Southside the River of *Thames*, and Cnut enjoyed the North parts of *England*, by mutual consent and agreement of all the Nobles; and so this bloody warr between them (after 7. or 8. battels, within so many moneths space) ceased.

Soon after this fatal Agreement and partition of the Realm, which made Edmond but half a King and Eng-
 (1) *William Malmshury, de Gestis Regum*, l. 2. c. 10, 11. *Hen. de Knyghton, de Eventibus Anglie.* land half Denmark, that ever trayterous Duke *Edrie*, treacherously murdered King *Edmond* at *Oxford*, of which there are 3. different relations in our Historians. (1) Some say that he corrupted the Kings Chamberlains with gifts

to murder him in his bed : and that King *Cnut*, in the first year of his Coronation, caused all of them who had conspired his death by *Edric's* exhortation to come before him, where they declared to the King the Treason they had committed against King *Edmond*, expecting a large reward for it. Whereupon the King sent for the Great Men and Nobles of the Realm, and made the Traitors to acknowledge their Treason before them, and a great assembly of people; fearing lest otherwise it should be believed that he had foreplotted the Treason aforelaid, and suborned them to execute it. After their publick confession thereof, he caused them all to be first drawn, and then hanged for it. (1) O-
thers write, that *Edric* himself, or his Son by his command, murdered him at Oxford on St. *Andrews* night, as he was easing nature in an house of Office, stabbing him into the bowels with a two-edged knife through the hole of the privy, (in which one of them lay in wait to murder him) leaving the knife sticking in his bowels, and him dead in the place: And some write, that he placed an Image in his Chamber with a bow and arrow ready bent; which *Edmond* admiring at, touching the Spring which held the bow thus bent, the arrow thereupon pierced & slew him in the place. That before his death was known, *Edric* went to *Edmonds* wife, and taking away her two young Sons from her, brought and delivered them to *Cnut*; and then saluted him, saying; GOD SAVE THEE SOLE KING OF ENGLAND. Whereupon *Cnut* demanding, Why he saluted him in this manner? He then informed him of King *Edmonds* death, and how he had murdered him of purpose to make him sole King of England. *Speed* adds, That he cut off his Sovereigns head, presenting it to *Cnut* with these fawning salutations, All hail thou sole Monarch of England, for here behold the head of thy Copartner, which for thy sake I have adventured to cut off: which no ancient Historian mentions. Upon this, *Cnut*,
E e though

(m) Hen. Huntingdon, Hist. l. 6. p. 363. Radulphus de Diceto, Imagines Hist. & Mat. Westm. Flores Histor. Anno 1016. Polychron. l. 6. c. 17, 18. Chronicon Joh. Bromton, cal. 906, 907, 908.

(m) Ingulphi
Hist. p. 892.
Florent. Wigorn.
Mat. Westmin.
Simeon Du-
nelm. Hoveden,
Anno 1016,
1017. Chron.
Johan. Bromton
col. 907, 908.
Hen. de Kygh-
ton de Eventib.
Anglie, l. 2. c. 2,
3. Radulphus
de Diceio Ab-
breviationes
Chronicorum.

Proposit. 3.

though ambitious enough in Sovereignty, yet out of a Princely disposition, sore grieved at such a disloyal treacherous act, presently replied to him, *I for reward of so great and meritorious a service done for me, will this day advance thee above all the Nobles of the Realm*; After which he caused his head to be cut off, then fixed on an high poll, and placed on the highest Tower of London, for the birds to prey upon. (m) Others more agreeable to the truth, relate; That *Cnut* in the first year of his reign depriving this Arch-Traitor *Eáric* of the Dukedom of *Mercia*, which he had many years enjoyed; thereupon *Eáric* in the feast of Christs Nativity, repaired to *Cnut* at his Palace in London, to expostulate with him about it: where checking the King over-harshly, he upbraided him with the many benefits he had received from him, amongst which he mentioned two, wherewith he specially provoked him to anger; saying, *Most dear King, you ought not to speak harshly to me, nor suffer any evil to be done unto me; for you had never enjoyed the Realm of England, but by my means. For out of love to thee, I have first betrayed King Ethelred; after that I deserted Edmond my proper and natural Lord; and afterwards I foreplotted his death, and murdered my just and true liege Lord, out of my fidelity towards thee, to bring the whole kingdom unto thee: and dost thou so lightly vilify so great love conferred on thee, for which I never received any benefit or profit from thee?* At which speeches, *Cnut* changing his countenance, expressing his fury by its redness, presently pronounced this sentence against him, saying: *And thou shalt deservedly die, thou most perfidious Traitor, seeing by thy own confession thou art guilty of Treason both against God and me, who hast slain thine own Sovereign and natural King, and my dear confederate Brother. His blood be upon thy head, because thou hast stretched out thy hand against the Lords anointed. And lest a tumult should be raised among the people, he commanded him to be there presently*

sently strangled in his palace, and his body to be cast through a window into the river of *Thames*, to be devoured of the fishes, as some, or hanged upon *London* walls unburied, to be devoured by birds, as others story. At which time (n) Duke *Norman*, son of Duke (n) *Ingulph* *Leofwin*, (Captain of *Edrics* guard) *Ethelward* son of *Historia*, p. 891; Duke *Agelmar*, and *Brihticus* son of *Alphege* Earl of *Devonshire*, with many others of *Edrics* followers were likewise slain without offence, together with *Edric*; because *Cnut* feared he should one time or other be circumvented by the treacheries of this old perfidious Traitor, hearing his former natural Lords *Ethelred*, and *Edmond* had frequently been betrayed by him, *quorum diutina prodicione alterum vexavit, alterum interfecit*; there being no trust to be reposed in such a Traytor to his Sovereigns. Thus this inveterate Arch-Traitor to his Natural Country, Kings, and bloody Regicide, by Gods divine Justice received the just punishment of all his Treasons at the last, instead of expected great rewards, from that hand he least suspected. Whence (p) *Matthew Westminster* relating both the Histories (o) *Anno 1017* of the manner of *Edrics* death, concludes thus, *Sed si vixeret, sic, si vixit vitam finierit Proditor, Edricus, non multum ad rem pervenit; quia hoc liquido constat, Quod ille qui multos circumbenerat, tandem est iusto Dei iudicio circumventus, et proditoris suae meruit subre talionem*: And let all those who have or shall imitate him in his Treasons against his native Country, Kings, and Regicide, seriously meditate on his tragical end, and expect the self same retribution in conclusion, though they escape as many years as he then did before final execution.

A third sort of Authors, as *Marianus Scotus*, *Wigorniensis*, *Roger Hoveden*, and *Simeon Dunelmensis*, make no mention of King *Edmonds* murder by *Edric* his subordination, but only that he died at *London*, (not *Oxford*) about the Feast of St. *Andrew*;

as if he had died of a naturall death; but the generality of Writers agree, he was murdered at Oxford, *ambiguum quo casu extinctus*, writes (p) Malmes-Regum, l. 2. c. bury; the common fame being he was murdered, 10. p. 72. Chron. by Edric as aforesaid. And Bromton, who recites all three opinions, concludes thus, *Sed primus modus, videlicet, quod rex Edmundus, ad requiem natura sedens, prodicione dicti Edrici occisus fuit, verior aliis et autenticior habetur.* The Author of the Encomium of Emma, concurring with *Marianus*, subjoynes this Observation touching his short reign and speedy death: That God, &c. minding his own doctrine, That a kingdom divided in it self cannot long stand, and pitying the English, took away Edmond, lest if the Kings had continued long together, they should have both lived in danger, and the Realm in continual trouble. His reign continued onely seven moneths, in which time he fought seven or eight battels in defence of his Country, People, and their Liberties, besides his single Duel with *Cnut*: and by his untimely death, the English-Saxon Monarchy was devolved to the Danes, who by Treachery and the Sword for three descents, deprived the English Saxons of the Crown and Kingdom, through divine retaliation, as they had unjustly by treachery and the Sword dispossest and dishonoured the Britons thereof, about 450

(q) *Histor. l. 6.* years before, as (q) Henry Huntingdon, (r) Bromton, (f) Radulphus Cistrensis, (t) Mr. Fox, (u) (r) Chron. col. Speed, and others observe, The Sinnes of the Saxons grown now to the full, (writes Speed) and their dreggs as it were sunk to the bottom, they were emptied by the Danes from their own vessels, and their bottles broken, that had vented their red and blondy wines; in lieu whereof the Lord gave them the cup of wrath, whose dreggs he had formerly (by their own hands) wrung out upon other Nations. For the Saxons, that had enlarged their Kingdomes by the blond of the Britons;

tons, and built their nests high upon the Cedars of others, (as the Prophet speaketh, Habbak. 2.) committed an evil consciousness to their own habitations, and were stricken by the same measure that they had measured to others, when as the Danes often attempting the Lands invasion, and the subversion of the English Estate, made way with their Swords through all the Provinces of the Realm, and lastly, advanced the Crown upon their own helmets, which they wore only for three Successions.

Ec 3

CHAP.



CHAP. IV.

Comprising a Summary Collection of all the Parliamentary Great Councils, Synods, Historical Passages, Proceedings, Lawes, relating to the Fundamental Liberties, Franchises, Rights, Government of the People, and other remarkables, under our Danish Kings, Cnute, Harold, and Harde-Cnute; from the year of our Lord 1017. till the first year of King Edward the Confessor, Anno 1042. With some brief Observations on the same.



Anno 1017.

(a) *Holinshed, Grostion, Speed, and others in his life, Radul. de Diceto, Ab. brev. Chron. col. 466. Chron. Jo. Bromton, col. 906.*

(b) *chronica, col. 1782.*

(c) *De Gestis Regum Angl. l. 2, c. 11, p. 73.*

Immediately after the murder of King Edmond Ironside, King Cnute the Dane, Anno 1017. taking possession of the whole Realm of England, was solemnly (a) crowned King at London, by Living Archbishop of Canterbury, succeeding in the Realm of England, *Non successione hereditaria, sed Armorum virtute*, as (b) William Thorne observes: *Injuste quidem Regnum ingressus, sed magna civilitate et fortitudine vitam componens*, writes (c) William of Malmshury. Whereupon, the better to fortifie his Military Title, with a seeming publick Election, by the Nobles and Nation in a Parliamentary Council, and their open disclaimer and renunciation of any Right or Title either in King Edmonds Sons or Brethren, to the English Crown,

Crown, to settle it in perpetuity on himself and his posterity; he (d) commanded all the Bishops, Dukes, Princes and Nobles of the English Nation to be assembled together at London in a Parliamentary Council: Where when they were all met together in his presence, he most craftily demanded of them, as if he were ignorant, *Who were the Witnesses between him and Edmond Ironside when they made their agreement and division of the Kingdom between them? What manner of conference there then was between him and Edmond, concerning his Brethren and Sons? Whether it was agreed, that it should be lawfull for Edmonds Brethren or Children to reign in the kingdom of the West-Saxons after his death, by any special reservation or agreement between them, in case Edmond should die in his life-time? Whom he had designed to be his Heir? Whom he had appointed to be guardians to his Sons during their infancy? And what he had commanded concerning his Brothers Alfred and Edward?* To which they all answering both falsely and flatteringly, said, *That they did most certainly know, King Edmond neither living nor dying had committed or given no part of his kingdom to his Brethren; and they did likewise know, that it was King Edmonds will, that Cnut should be the Guardian and Protector of his Sons and of the Realm, untill they were of age to reign, calling God himself to witnesse the truth hereof.* (O the strange temporizing falsity, treachery, perjury of men in all ages!) But though they thus called God to witness, yet they gave a false testimony, and fraudulently lyed, preferring a lie before the truth, being forgetfull of justice, unmindfull of nature, unjust witnesses, rising up against Innocency, and betrayers of their own blood and Country: when as they all well knew, that Edmond had designed his Brethren to be his heirs, and appointed them to be Guardians of his children; thinking by this their false testimony to please King Cnut, to make him more mild and gracious to them, and that they should receive great rewards from him for the same.

Propos. 8, 1. same. After their answers to those Interrogatories, to ingratiate themselves further with Cnute, though they were sworn before to **Edmund and his Heirs, and were Native Englishmen**, yet they there all took a solemn Oath of Allegiance to Cnute, swearing to him, That they would and did chuse him for their King, & humbly obey him, et **Exercitui Vestigalia dare**; and would give Tributes to his Army. And having received a pledge from Cnute's naked hands, with Oaths from the Princes and Nobles of the Danes, & Cnute reciprocal Oaths from them and all the people, they ratified a mutual Covenant and League of Peace with reciprocal Oaths between both Nations, reconciling and abandoning all publick enmities between them. They likewise swore, that they would cast off, banish, and wholly reject King Edmonds Brothers, Sons, and Family. In pursuance whereof they there presently, *Fratres et filios Edmondi Regis omnino despexerunt, eosque Reges esse negaverunt; unum autem ex ipsis predictis Clitonibus, Edwinum, egregium et reverendissimum Edmundi Regis germanum, Abbatem cum consilio pessimo, evulsum esse debere constituerunt*, as Reger de Hoveden, Abbot Ethelred, Wigorniensis and others at large record the Story. The discord, treacherous falsehood, disloyal proceedings of the English Nation then towards one another, & the English royal line, is thus elegantly set forth by * Abbot Ailred; (a lively Character of our age) *Externisque malis accessit civilis discordia, adeo ut quis cui crederet, quis cui mentis sue secreta committeret nesciretur. Plena erat proditoribus Insula, nusquam tuta fides, nusquam sine suspitione amor, Sermo sine simulatione. Tandem eousque Proditio Civilis, et astuta Procelsum hostilis, ut defuncto Rege, pagana pars Insula legitime abdicatis heredibus, Cnutoni qui Regnum invaserat, manus darent; peremptoque invictissimo Rege Comundo paterni honoris simul et Laboris herede, etiam Filios ejus, adhuc in canis agentes, barbaris misterem occidendos.* King Cnute, hearing this

* De Vita & Miraculis Edwardi Confessoris, col. 374.

this their palpable flattery, and contemptuous rejection of Edwin, and the Saxon regal Line, went joyfully into his Chamber, and calling perfidious Duke Edric to him, demanded of him, *how he might deceive Prince Edwin, so as to have him murdered?* Who thereupon informed him, how and by whom his murder might be accomplished by promised rewards of money and preferments, which was accordingly effected soon after by Cnut's procurement and command. This Edric likewise perswaded Cnut, to slay Prince Edward and Edmond, King Edmonds sons. Whereupon Statuit Cnut *to mirabiliter in animo suo, omne genus Gentis Regni Anglorum perdere, vel exilio perenni eliminare, ut regnum Anglie filiis suis jure hereditario reservare curaret,* writes Matthew Westminster, p. 402. But because it might seem a great disgrace to him, to murder these infant Princes in England, he afterwards sent them over Sea to King Swane to slay them in Denmark; who abhorring the fact, instead thereof sent them to Solomon King of Hungary to be preserved and educated.

Cnut having thus through the flattery, perjury and treachery of the English Prelates and Nobles gained the entire Monarchy of England. slew or banished all those perfidious English Sycophants, temporizers who had the chiefest hand in this false testimony, abjuration & treacherous bloody advice, against the Saxon Royal Family: by whose Counsel he slew or banished all the blood-royal of the Realm of England, that so he might Jure Hereditario, reserve and perpetuate the kingdom to his own Posterity by an hereditary right. Duke Edric the principal of them, for this and his other Treasons forementioned, was deprived of his Dukedom of Mercia, and exemplarily executed as a most perfidious Traytor by Cnut's command the first year of his reign, and many of his Captains and followers were slain with him, (of which at large before.) *Mortem Proditoris pro demeritis accepit laqueo suspensus, et in Tamesin fluvium*

projectus. Cum quo plurimis satellitum suorum similiter occisis, etiam inter eos precipuus et primus Normannus occisus est, writes Abbot (e) Ingulphus. Turkell Duke

(e) Historia, p. 892. of East-England, and Hirc Duke of Northumberland, were both banished the Realm; Duke Norman and

Eridric slain, and a heavy Tax of 82 Thousand pounds

Proposit. 1, 8. (besides 10000 pounds imposed on London alone) imposed and levied on the whole Nation. Quoniam

igitur propter sanguinis proditores aduantes Regi mentiti sunt in caput suum, gladius eorum intravit in cor eorum, et à Cnutto quem naturalibus Dominis

prætulērunt, contractus est arcus eorum. Cum enim

Monarchiam Insulæ favori illis obtinisset. Om-

nes qui prius in illo fuere consilio exterminabāt, et

(f) De Genea- quo quorū regio nunc superstitēs reperit, vel regno repulsi, vel occisi, as (f) Abbot Ethelred re-

logia Regum cordis to posterity. To which (g) Henry Huntingdon,

Anglorum, col. 365, 366. and (h) Henry de Knighton subjūn. Postea vero Rex

(g) Historiar. i. 6. p. 363. iusto Dei iudicio dignam retributionem nequitiæ

(h) De Even- Angliis reddidit: Ipse namque Rex Cnutus Edricum

tib. Angliæ, l. 1. c. 3. occidit, (quia timebat ab insidiis ab eo aliquando circumve-

niri, sicut Domini sui priores Ethelredus & Edmondus

frequentē sunt circumventi, quorum diutina prodicione al-

terum vexavit, alterum interfecit, add Florentius Wigorn-

niensis, Simeon Dunelmensis, Roger de Hoveden, and Ra-

dulphus de Diceto:) Turkellum exulavit, Hirc fugere

compulsi. Præterea summos Procerum aggressus, Nor-

mannum Ducem interfecit. Edwi Adeling extermin-

avit, Adelwoldum detruuncavit, Edwi Churleging

exulavit: Birdric ferro vita privavit. (i) Æthelwar-

dus filius Agelmari Ducis, et Brihtricus filius Alphegi

Domnanienſis Satrapæ, sine culpa interfecti sunt. Fecit

quoque per Angliam mirabilem Censum reddi, scilicet

82. (some write 72.) mille librarum, præter undecies

mille libri, quas Londinensis reddiderunt. Dignum igitur

exatozem Dominus Iustus Angliis imposuit (for

rejecting their own Hereditary Sovereign Line.)

(k) Ra-

(k) Radulphus Cestrensis (englished by Trevisa,) Fa- (k) Polychron.
 bian and (l) Grafton, thus second them. Also they swore, l. 6. c. 18. Fabian
 that they would in all wise put off Edmonds kin. They part. 6. c. 205.
 trowed thereby to be great with the King afterward, but it (l) chronicles
 fared farr otherwise. For many or the more part of them, p. 174.
 specially such as Canutus perceived were sworn before to
 Edmond and his heirs, he mistrusted and disdained ever
 after. Therefore some of them were slain by Gods
 rightfull dome, and some banished, and exiled and put
 out of the Land, and some by Gods punishment died
 suddenly, and came to a miserable end; which other
 of our Historians likewise register: I shall desire all
 such who are guilty of the like Treachery, Flattery,
 Practice or Advice against their lawfull Sovereigns
 royal Posterity, advisedly to ponder this sad domestick
 President in their most retired Meditations, for fear
 they incur the like divine retaliation by Gods rightfull
 doom, when and by whom they least suspect or fear it.

Nota.

King Cnute thus quit of all King Edmonds Sons, Anno 1018.
 Brethren, kinred, and likewise of the greatest English
 Dukes and Nobles who might endanger his Life,
 Crown, and new-acquired Monarchy, in the next
 place contrived, how to secure his Empire against
 Prince Alfred and Edward, Edmonds Brothers, then
 in Normandy with Queen Emma their Mother, and
 their Uncle Richard Duke of Normandy, a person of
 great valour, power, and interest; the only per- (m) Malmesb
 son likely to attempt their restitution to the kingdom, De Gestis Reg.
 and Crown of England. For which end he by gifts, l. 2. c. 10. Mat.
 Ambassies, and fair promises, (m) procures Earl Richards den, Huniindon
 consent, to bestow his Sister Queen Emma upon him wigorniensis,
 for his wife, who ariving in England in July 1018. was Simeon Dunel-
 presently married to this Invader of her former Hus- mensis, Ra-
 bands kingdom, his sons royal throne, and murderer, dul. de Diceto,
 banisher, dishinheriter of his and her royal Posterity, Bromton, Poly-
 whereby her Brother Duke Richards thoughts were chron. Fabian,
 wholly diverted from ayding his Nephews to recover and others, Holinshed,
 Grafton, Speed,

*Ailredus Ab- their right in England. * Ex hinc cum Cnutoni omnia
as, de vita & pro voto cessissent, timens se Patres legitimus Reg-
Miracula Ed- num quod sibi de Jure debebatur, aliquando Normannica
wardi Confesso- Reposceret, et Ducis sibi artius colligaret
ris, col. 374. fretus virute*

(n) De Gestis
Regum l. 2. c.
24. p. 73.

(o) Malmsb.
de Gestis Reg.
l. 2. c. 11. p. 73.

*affectum, Emmam defuncti Regis relictam duxit uxorem. Whereupon De illorum (Elfredi & Edwardi) restitu-
tione Richardū avunculum nihil egisse comperimus, quia et
sororem suam Emmam hosti et invasori nuptam colloca-
vit: Ignores majori illius dedecore qui dederit, an foemina
que consererat, ut thalamo illius caleret, qui virum infe-
staverit, filios effugaverit; is (n) Malmesbury his ob-
servation and censure thereupon. Only their Uncle
Robert attempted their restitution, Congregatis navibus,
et impositis militibus profectionem paravit, subinde jacti-
tans se pronepotes suos coronaturum: et proculdubio fidem di-
ctis expleisset, nisi quia (ut à majoribus accepimus) semper
ei ventus adversabatur contrarius; per occultum scilicet
Dei judicium, in cujus voluntate sunt potestates omnium
regnorum. Reliquia navium multo tempore dissolutarum
Rothomagi adhuc nostra aetate viscebantur, writes Malms-
bury. By this match with Queen Emma, as Cnut
took off Duke Richard from yielding any assistance to
his Nephews, in hopes his sister might have issue by
him to inherit the Crown of England (it being agreed
between them on the marriage, that the issue of Cnute be-
gotten on her should inherit the Crown;) so it much obli-
ged the English to him, and made them more willing
to submit to his Government, (o) ut dum consue-
Domina deferrent obsequium, minus Danorum suspira-
rent Imperium: the rather, because they much honou-
red and affected her for her manifold vertues, of which
they had long former experience: and likewise because
they hoped it might be a meanes to restore Ethelreds
issue by her to the Crown again, in case she had no is-
sue by Cnute to inherit it; which in truth it effected
by Gods providence, contrary to Cnutes design. Af-
ter this marriage this politick Forein Intruder, to esta-
blish*

bliss his Monarchy over *England*, endeavoured to reconcile the English to him by all other publick means he could devise, and that by *Emma's* advice.

1. By advancing some of the English Nobility to places of Honour and trust, as (p) *Leoffric*; whom he made Duke, in the place of his Brother *Norman* whom he had slain; with some others, and loving them very dearly.

2. (q) By granting to the English equal Rights, and Privileges with his Danes, in *Confessu*, in *Consilio*, in *Prælio*; and favouring and advancing them both alike.

3. (r) By favouring and enriching the English Clergy and Church-men, and manifesting extraordinary piety, devotion, bounty in repairing, building, endowing Monasteries and Churches throughout the Realm, which had been partly decayed, partly demolished and prophaned by his and his Fathers former wars and excursions: And by erecting new Churches in all places where he had fought any battel, especially at *Aschendune*, and placing Priests in them, perpetualy to pray for the souls of those that were there slain. *Ita omnia quæ ipse, et Antecessores sui deliquerunt, corrigere satagens, prioris Injustitiæ navum apud Deum for- tassis, apud Homines certè abstulit*; as (s) *Malmsbury* relates.

4. (t) By easing them of his Danish Forces, and constant heavy Taxes for their maintenance: For by the advice of *Emma*, he sent back all his Danish stipendiary Souldiers to their Native Country, and all his Ships but 40, which he retained to transport him into *Denmark* the next year. To return, pay off, and disband which forein Forces, the English paid him a Tribute of 82. as some, or 72 thousand pounds as other Historians record, collected out of all England, and the Londoners 11 thousand or 10500 marks more. Which Tribute I conceive was granted him in the Council of *London* the year before; wherein all

[u] *Wigornien. the Prelates and Nobles took an Oath, [u] Quo exer-*
Sim. Dunelm. effui vestigal bare; according to their former agree-
Hoveden and ment at Gloucester, upon the partition of the Kingdom
others, between Edmond and Cnut; wherein King Edmond
 [x] *Wigorn.p. and all the English Nobles and Army ordained, that a*
 389. *Sim. Du- Tribute should be paid to the Danish Fleet, TRIBUTO*
nelm. col. 175. QUOD CLASSICÆ MANUI PENDERETUR
ST-ATUTO. So that I conjecture, it was not impos-
 sed on the people by Cnutes absolute power, but by
 common Grant and Consent of a Great Parliamen-
 tary Council.

[y] *Wigornien. 5. [y] By ratifying all their former good old fun-*
Bromton, Sim. damental Laws, Rights, Liberties, Privileges, which
Dunelm. Hove- they used, enjoyed under their Saxon Kings, by enacting
den, Holinshed, other good wholesom Laws, repealing all unjust Laws,
Speed, Malmsh. and redressing all exactions and grievances.
and others.

By which means he so obliged the English to him,
 that they cordially assisted him in his Danish wars,
 chearfully obeyed him, and never raised any Insurrec-
 tion or Rebellion against him, though frequently absent
 out of the Realm, all his reign, albeit he had no Army
 nor Garrisons to over-aw them.

Anno 1018. In the second year of his reign, [z] Anno 1018.
 [z] *Florentius King Cnut assembled a Parliamentary Council both of*
Wigorniensis, the English and Danes at Oxford, wherein they both
Sim. Dunelm. accorded, That King Edgars Lawes should be obser-
Radulphus de ved. Angli et Daci apud Oxonefordiam, de lege Re-
Diceto, Rogar gis Edgari concordēs sunt effecti; as Florentius Wigorni-
Hoved, Chron. ensis, Sim. Dunelmensis, and others express it: but the
Ioh. Bromton, de Chronicle of Bromton thus. Posthac apud Oxoniam
col. 908. Hen. Eventib. Angl. PARLIAMENTUM tenuit, ubi Angli, simul &
de Knyghton de l. i. c. 3. Graf- Dani, de Legibus Edgari Regis observandis concordēs facti
ton, p. 174. sunt: Which Fabian, Grafton, Speed, and others thus
Speed, Holin- express in English. He called A PARLIAMENT at
shed, Fabian, part. 6. cap. 205. Oxford, where among other things it was enacted, That
f. 272. Englishmen and Danes should hold and firmly keep the
 [Proposit. 5, 6. *Laws of Edgar, late King; Which Parliament, they mil-*

misplace some in the 5. others in the 15. year of his reign, when it was in the second.

[a] King *Cnut* sailing into *Danmark* in the third year of his reign, having there settled his affairs, returned into *England*, Anno 1020. about the feast of *Easter*. *Apud Orencestriam CONCILIO CONGREGATO*, as *Matthew Westminster*; or, *Apud Cirencestram, MAGNUM CONCILIUM HABUIT*, as *Florentius Wigorniensis*, *Hoveden*, and *Simeon Dunelmensis*, record it. And then held a great Parliamentary Council at *Orencester* (or *Cirencester*) wherein he banished Duke, *Ethelward*. And this year as *Radulphus de Diceto* informs us, *Rex Canutus CONSILIO CLE- RI ET PROCERUM*; by the Counsel of his Clergy and Nobles (most likely assembled in this Council at *Cirencester*) and especially of his Queen *Emma*, he placed Monks in the Monastery of *Badriceſworth*, wherein the bodie of King *Edmond* the Martyr resteth, removing the Secular Priests from thence. *Matthew Westminster* thus relates it. *Consilio Emmae Reginae, et EPISCOPORUM, SIMUL ET BARONUM ANGLIAE Monachos in eo constituit, &c.* *Carobium quoque beati Regis et Martyris Edmundi tot pradiis et bonis aliis amplavit, ut omnibus ferè Angliae Monasteriis, in rebus temporalibus merito praeferatur.*

Anno 1020.
[a] *Mat. westm.*
p. 423. *Vigorn.*
p. 392. *Hoveden*, p. 437. *Sim. Dunelm. col.*
177. *Radulph. de Diceto Ab- brev. Chron. col.*
467.
Proposit. 2, 5, 6, 10.

Sir *Edward Cook* in his Preface to his 9. Reports, Anno 1021. out of an antient Manuscript of the Abbey of *St. Edmonds*, which he said, was in his custody, gives us this account of a Parliament held at *Winchester*, in the 5. year of King *Cnut* his reign, (Anno 1021.)

(b) *Hæc sunt Statuta Canuti Regis Anglorum, Danorum, Norwegiarum, Venerando Sapientum ejus consilio, ad laudem et gloriam Dei, et sui Regalitem, et commune commodum, habito in Sancto Natali Domini apud Winton, &c.*

[b] *Spelmani concilia*, p. 534.

Rex Canutus anno regni sui 5. viz. per centum et triginta annos ante compilationem Decretorum, quæ Anno Dom.

Proposit. 5, 6,
10.

Dom. 1150. fuerunt compilata anno septimo. Pontificatus Papa Eugenii tertii, et ante compilationem aliorum Canonum quorumcunque, Cunctos Regni sui Praelatos, Procuresque ac Magnates ad suum convocans Parliamentum, in suo publico Parlamento, persistentibus personaliter in eodem Nultano et Adelnodo Archiepiscopis et Ailwino Episcopo Elmhamense, et aliis Episcopis, ipsorum suffraganeis, septem Ducibus, cum totidem Comitibus, necnon diversorum Monasteriorum nonnullis Abbatibus, cum quamplurimis gregariis Militibus, ac cum populi multitudine copiosa, ac Omnibus tunc in eodem Parlamento personaliter existentibus, Votis Regiis unanimiter consentientibus, praeceptum et decretum fuit, Quod Monasterium sancti Edmondi, &c. sit ab omni Jurisdictione Episcoporum Comitatus illius, ex tunc in perpetuum funditus liberum et exemptum, &c. Illustris Rex Hardicanus, praedicti Regis Canuti filius, heres et successor, ac sui Patris Vestigiorum devotus imitator, &c. cum laude et favore Egelnodi Doroberniensis, nunc Catuariensis, et Alfrici Eborac. Episcoporum, aliorumque Episcoporum Suffraganeis, necnon Cunctorum Regni sui mundanorum Principum, descriptum constituit, roboravique praeceptum.

That (which this Manuscript styles so often a Parliament, held at Winchester, in the 5th year of King Canute (of which there is not one Syllable in any of our Historians) is as I conceive, that which Matthew Westminster, Wigorniensis, Hoveden, and Simeon Dunelmensis stile CONCILIUM, ET MAGNUM CONCILIUM, &c. held at Cirencester or Orencester, not Winchester, the 4th year of his reign: wherein by the Counsel of Queen Emma, and of his Bishops and Barons, he placed Monks in the Monasterie of Bederichesforth, where St. Edmund was interred; and endowed the Monastery of St. Edmund with so many farmes and other goods, as made it one of the richest in all England, as these

those Historians witness; Whose Name and date the ignorant compiler of this Manuscript mistook; whose Antiquitie and reputation is very suspicious, as (c) [b] *Concilia*, p. 534. Sir Henry Spelman informs us. First, because Sir Henry could never gain the sight of it from Sir Edward Cook, though he oft-times promised to lend it him to peruse for his satisfaction. And that which dares not abide the sight and rest of such a judicious learned Antiquary, when desired, may justly be deemed an Imposture.

2ly. Sir Henry Spelman conceives the Author of this Manuscript, writ not before the end of King Henry the 3d, if so soon, seeing he calls the Great Council of the Realm, so frequently a *Parliament*, which Title was not given it in Manuscripts or Historians, till the end of King Henry the 3d. or after his reign; And Wigorniensis, Matthew Westminster, Hoveden, and Simon Dunelmensis, all stile it onely *CONCILIUM*, not *Parliamentum*.

3ly. Because he certainly mistakes in his Chronology in making Egelnth Archbishop of Canterbury in the reign of King Hardecnute, when as he died and Eadsi was made Archbishop thereof two years before Hardecnutes reign, which Eadsi crown'd him King, as Matt. Westminster, An. 1038. together with Matthew Parker and Godwin, attest. And therefore he might as grossly mistake in other things.

4ly, It appears by the recital it self, that it was writ above 130 years at least after this Council under Cnute, because it recites, it preceeded the Decrees made so long after, under Pope Eugenius, An. 1150.

5ly. The form of the Prologue, *Hæc sunt Statuta, &c.* coupled with, *ad suum convocans Parliamentum in suo publico Parlamento*: and, *aliis Episcopis ipsorum Suffraganeis*, prove it not to be written before King Edward the first his reign; when such phrases came first in vse: Sir Edward Cooke himself informing us in his *Epistle*, that in Cnute his reign, such State-Assemblies were stiled *Venerandum Concilium Sapientum, &c.* sic enim apud

majores Parliamentum illud Latine redditur. 6ly, Because it subjoins, *cum quamplurimis gregariis militibus, ac cum populi multitudine copiosa*, as if they had been personally present in this Parliamentary Council, as well as the Archbishops, Bishops, Abbots, Dukes and Nobles; of which there is not one syllable in our four antient Historians, which mention this Council at *Cirencester*. Neither can these *Gregarii milites* be intended Knights of shires; nor *populi multitudine copiosa*, Commoners or Burgeses elected to serve in Parliament by and for the people, (as Sir *Edward Cooke* and others fancy) there being no mention of any such chosen Knights of Counties, Citizens, Burgeses or Commons in that or succeeding ages, till about the reign of King *Henry* the 3d. but only, ordinary Souldiers, and the Vulgar sort of people, admitted to be present in the Council at the reading and passing of the Charter to *St. Edmond*, as they are now admitted into the *Lords House*, together with the Knights and Burgeses at the beginnings and ending of our Parliaments, and upon publike Trials, Conferences and Occasions; at which times there are more common people ten to one usually present to see and hear what is acted, who are no members, then there are Members of the Commons House, which never sate together with the Lords for ought appears, much less in this Parliament, as some confidently infer from this *Spurious Antiquity*, which Sir *Edward Cooke* (little versed in Antiquities, and oft mistaken in them) so much magnifies and insists on.

In the year of Christ 1021. (d) King *Cnut*, upon occasions and offences taken by him, banished Duke *Turkell* (to whom he had formerly committed East-Florent. wigorn. England) with *Edgitha* his wife; and *Hirc* Duke of Sim. Dunelm. Northumberland, out of England. *Turkell* no sooner arrived in *Denmark*, but he was there slain by the Dukes of the Country, by divine vengeance, he being a chief inciter of the death of *St. Alphega*.

Anno 1021.

(d) Mat. west.
Florent. wigorn.
Sim. Dunelm.
Huntindon, and
Hoveden.

Proposit. 2.

(e) The

(e) The English & Danes, An. 1022. in Colloquio apud *Anno 1022.*
Drontiam celebrato, de Legibus Regi Edwardi pr. mi [e] *Mat. Westm.*
tenendis concordatos facti sunt. Unde eisdem Legibus, jubente *Flores Hist. p.*
Rege Cnutone, ab Anglica lingua in Latinam transla- 404.
tis: tam in Dania quam in Anglia. propter earum æ- *Proposit. 5.*
quilitatem a Rege prefato observari iubentur, as *Mat.*
Westminster relates, Anno 1022. So as he imposed no
 New Laws on them, nor revived old, but only by
 common consent in a Parliamentary Council both of
 English and Danes.

(f) King Cnute in the year 1023. did so carefully *Anno 1023.*
 endeavour to reform all things wherein himself or his (f) *Mat. VVest.*
 Ancestors had offended, as he seemed to wipe away *p. 404. Malm-*
Prioris Injustitia Navum, the Blot of his former Inju- *bury, De Gestis*
 rice, as well with God as with men. And by the ex- *Regum, l. 2. c. 11*
 hortation of *Queen Emma* studying to reconcile all the *Proposit. 5.*
 English to himself he bestowed many Gifts upon them, et
 insuper **bonas Leges omnibus et placentes promissit:**
 and moreover promised good and pleasing Lawes to all. The
 best means to win and knit the peoples hearts.

(g) Anno 1024. Cnute leading an Army of English *Anno 1024.*
 and Danes against the Swedes, whereof he lost many in *[e] Mat. VVest.*
 the first battel, the next day, when he appointed again *p. 405. Hum-*
 to fight with them, Earl Godwin, General of the En- *don, Hist. l. 6.*
 lish Militia, without King Cnutes privity, resolved *p. 364. Malm-*
 with his English forces alone to invade the Swedish *bury de Gestis*
 Enemies in the night. Whereupon using this Speech *Reg. l. 2. c. 11.*
 to his Souldiers, *ut pristina gloria memores, robur suum*
oculis novi Domini assererent, &c. they all valiantly as-
 sailed the Enemies at unawares, put them all to
 flight, slew an innumerable multitude of them, and *Proposit. 8.*
 compelled the Kings of that Nation, *Ulf* and *Eglaf*, to
 yield to terms of Peace. Cnute preparing to fight ve-
 ry early the next morning, thought the English had
 been either fled away, or revolted to the Enemies;
 but marching to the Enemies tents, and finding no-
 thing but the blood and carcasses of those the English
 had

had slain; he thereupon ever after had the English in great esteem; who by this their Victory *Comitatum Duci, sibi laudem paraverunt*, writes *Malmsbury*; *Cnut* returning joyfull of this Victory into *England*, and bestowing an Earldom on *Godwin* for this Service.

Anno 1027. 10
1030.

[b] *Florentius*
Vigornienfis,
Simon Du-
nelm Hoveden,
Mat. Westmin.

Anno 1027,
1028, 1029,
1030. *Radulf.*
de Diceto,
Bromton, *Huz-*
tindon, and
others.

Propositi, 2. 5, 6.

In the year 1027. *Cnut* hearing that the Norwegians disesteemed *Olaus* their King by reason of his simplicity, bribed his Nobles with great sums of gold and silver to reject *Olaus*, and elect him for their King; which they promising to do, the next year he sailed into *Norway* with 50 ships, thrust *Olaus* out of his kingdom, by consent of his Nobles, and subdued his Realm to himself: whence returning into *England*, An. 1029. *Hiconem Danicum Comitem, quasi Legationis causa, in Exilium misit*, because he had married *Gunilda* a Noble maïron, daughter of the King of *Vandals*, unde meruebat, ab illo vel à vñâ privari, vel à regno expelli: who was after drowned in the Sea, or slain in the

Orcades, Anno 1030. In which year *Robert* Duke of *Normandy* going to *Hierusalem*, Apud *Fischadium* PROCERES AD COLLOQUIUM VOCAVIT; ibique *Gulielmum* filium suum, hæredem sibi constituens, fecit omnes ei fidelitatem jurare. And the same year the Norwegians cruelly murdered *Olaus* their King, Doctor, Preacher and Apostle with an ax. Indignabatur enim Gens illa pagana et cruentissima, QUOD PRIMAS LEGES et supersticiosas idem sanctus Rex *Olaus* predicando, docendo, evangelizando, statuendo evacuaret. But *Cnutes* gold was the prime cause thereof, to get his Crown as he had done his Realm and *Edmond Ironsides*; for whose soul he prayed, and offered a rich embroydered Pale on his Tomb at *Glastonbury*, Anno 1026. Hoc autem fecisse creditur, ne in mortem ejus, cui in certamine singulari confoderatus fue-

[i] *Flores Hist.* rat, consensisse videntur, writes (i) *Mat. Westminster.*

2. 404.

(k) King

(k.) King Canute, Anno 1031, (to palliate his Usur-
 pations of other mens Crowns with the shew of De-
 votion) travelled to Rome in very great pomp, where
 he offered very great gifts in gold, silver, rich vest-
 ments, and pretious stones; and obtained from Pope
 John, **That the English School should be free from**
Tribute. In his going and returning he not only gave
 large alms to the poor, but likewise removed and de-
 leted many unjust Tolls and Taxes, exacted from
 such who travelled to Rome, giving a Great price to
 abolish them. He solemnly vowed to God before the
 Sepulcher of the Apostle Peter, a reformation both of his
 life and manners. In pursuance whereof, he writ a
 Letter from Rome to the Archbishops of Canterbury and
 Yorke, all the Bishops, Nobles, and Rulers, and to the
 whole English Nation, as well Nobles as Plebeans; where-
 in he certified them, That he had procured from the
 Emp. of Germany, King Rodolphus, the Pope, and other
 Princes, **a release of all unjust Tolls and Taxes** exa-
 cted of his people as they travelled out of devotion towards
 Rome, and of the vast sums of money which the Archbi-
 shops paid to the Pope for their Falls. After which he in-
 forms them, That he had vowed to justify his life to God
 himself in all things; To govern the Kingdoms and Nati-
 ons under his subjection justly and piously; To observe
 just judgement in all things; and if through the Intem-
 perance or negligence of his youth he had hitherto done any
 things besides that which was JUST, that he promised by
 Gods assistance to reform it all. Therefore I obtest and
 command all my Counsellors, to whom I have committed
 the Counsels and Justice of my Realm, that by no means, ei-
 ther for fear of me, or through favour to any potent person,
 they should from henceforth doe any Injustice, or cause
 it to spring up in all my kingdom. Likewise I com-
 mand all the Sheriffs and Officers throughout my Realm, as
 they desire to enjoy my favour or their own safety, that they
 do **no unjust violence to any man, neither to rich nor**

Anno 1031.
 [k] Ingulphi.
 Hist. p. 893.
 894. VVill.
 Malmbsbury de
 Gestis Regum,
 l. 2. c. 11. p. 74.
 Mat. VVestm.
 p. 407, 408.
 Hoveden, An-
 nal. pars 1. p.
 437. Flor. VVi-
 gorn, p. 394,
 395. Radulph.
 de Diceto, Ab-
 brev. Chron.
 col. 468. Brom-
 ton, col. 912.
 Polychron. l. 6.
 c. 25. Sim. Du-
 nelm. p. 178.
 Fabian, Holin-
 shed, Grafton,
 Speed, and o-
 thers.

Proposit. 1, 2,

Nota.

poor ; but it shall be Lawfull for all, as well Noble as Ignoble to enjoy justice and right: from which they might not deviate in any manner, neither for Regal favour, nor for the person of any potent man : *nec propter mihi congerendam pecuniam, quia nulla mihi necessitas est, ut iniqua exactione pecunia mihi congeratur* ; nor yet for raising or heaping up money to me : Because there is no necessity for me (and let those who now plead Necessity both for their own illegal imposing, levying of unjust uncessant heavy Taxes, Impolts, Excises on our Nations, without grant and common consent in Parliament consider it) that money should be raised and collected for my use by an unjust exaction. After this he enjoyns them by this Letter ; To pay all Debts and Duties due by the antient Law ; as Tithes of their corn and cattel, Peter pence, and First fruits at the Feasts appointed, under pain of the penalties inflicted by the Laws, which he would strictly exact without pardon : Neither was he worse than his word, writes (1) Malmsbury for he commanded all the Lawes made by antient Kings, and especially by his predecessor King Ethelred, to be for ever observed, under pain of a regal mulct. To the custody of all which ancient Laws, Even now (writes he) our Kings are sworn, under the name of King Edwards Lawes, *non quod illa statuerit, sed observaverit*. And [m] Matthew Westminster records further ; *Vicecomitibus Regni Anglie et Præpositis, districtè mandavi, ut nulli hominum diu inferant, nec propter pecuniam fisco reponendam in aliquo a Justitia deviant, dum non habeat necessitatem de peccato pecuniam abaugere*.

[1] De Gestis
Regum, l. 2. c. 11

[m] Flores H.
stor. p. 408.

[*] Chronica,
col. 1781.

If this Forein Danish Conqueror and Usurper of the Crown of England, quod Bellico Jure obtinebat, et armorum violentia, as (n) William the first records, was at last so just and equal to the English, as to reform all his former extravagant acts of Injustice, Exactions, Oppressions, to release all unjust Taxes, Exactions, Oppressions,

pressions, and not to exact or raise any monies unjustly on the people, upon any real or pretended necessity, without their common consent in Parliament, by any of his Officers, should not our own English Conquerors, & domineering Grandees, now much more imitate this his laudable Example, who pretend not only to equal but exceed him in Saintship, Justice, Devotion, & no longer to oppress the griev'd people with their arbitrary Tyrannical Taxes, Excises, Imposts, extravagant violent proceedings in new wayes of highest Injustice, as hitherto they have done, against all their Oaths, Covenants, Declarations, promises, and Engagements to the Nation.

King Cnut returning from Rome into England, Anno 1032. treated the English very justly and civilly, (o) Ingulphi
Anno 1032. confessed redressed his own former and his ancestors extortions, oppressions, rapines, endowed many Monasteries with lands and priviledges, and ratified them with his Charters. Hereupon Brithmerus Abbot
Historia, p. 892, 893.

of Croyland Cum Cnutonem Regem super Angliam stabilitum cerneret, universos Anglios civiliter & satis amabiliter tractare, insuper sanctam Ecclesiam speciali devotione deligere, ac filiali subjectione honorare, monasteriis multisque sanctorum locis bene facere, quadam vero Monasteria ad summam gloriam promovere, thereupon resolved to go to the King, & procure his Charter of confirmation of the Abbey, Lands & liberties of Croyland, quorundam adversariorum, qui tempore guerra multum creverant, vim formidans. Which Charter he readily obtained in these memorable words, wherein he acknowledgeth his rapines and bloodshed to posterity.

Cnutus Rex totius Anglia & Danmarchie, & Norwagia, & magnae partis Smavorum, omnibus Provincis, nationibus & populis mea potestati Subject.

is, tam minoribus quam majoribus salutem. Cum

terram Anglie, progenitores mei & parentes DURIS

EXTORTIONIBUS, & DIRIS DEPRÆDATIONIBUS

NIBUS

Proposit. I, 2, 4.

'NIBUS SÆPIUS OPPRESSERUNT, Et (fateor)
 'INNOCENTEM SANGUINEM FREQUEN-
 'TER IN EA EFFUDERVNT, studium meum
 ' à principio regni mei fuit, & semper erit in futurum,
 ' tam penes cælum quam penes seculum, PROPTER
 ' HÆC MEA PECCATA, ET PARENTVM
 ' MEORVM SATISFACERE, & statum totius san-
 ' ctæ matris Ecclesiæ, & uniuscujusque Monasterii sub
 ' Imperio meo constituti, cum in aliquo meo patrocinio
 ' indiguerint, devotione debita emendare, omnesque
 ' sanctos Dei per hæc, & alia bona opera mihi in meis
 ' necessitatibus reddere benignos, ac deprecationibus
 ' meis favorabiles & placatos. Ideo in arras hujus meæ
 ' satisfactionis, offero sancto *Guiblaco de Croyland*, &
 ' cæteris sanctis ejusdem loci de substantia mea unum
 ' calicem; confirmans *Brithmero* Abbati, & Monachis
 ' suis totum Monasterium suum *Croylandia*, cum insu-
 ' la circumjacente, & duobus Mariscis adjacentibus,
 ' scilicet, *Arderlound*, & *Goggelound* eisdem terminis
 ' & limitibus, quibus in Chirographo inclyti, quon-
 ' dam Regis *Edredi* restauratoris sui dicta insula, di-
 ' ctique duo Marisci satis apertè describuntur. Con-
 ' firmo etiam omnes Ecclesias & Capellas, terras &
 ' tenementa, libertates & privilegia in ejusdem Regis
 ' Chirographo contenta, cum quibus omnibus dictus
 ' Rex *Edredus* dictum Monasterium *Croylandia* ad ho-
 ' norem Dei, & *S. Guiblaci* confessoris sui corporaliter in
 ' ea requiescentis dotavit, donavit, ditavit, & suo Chiro-
 ' grapho confirmavit. Nullusq; hominum meorum audeat
 ' à modo dictos Monachos inquietare, vel in aliquo con-
 ' turbare propriæ dictis. Quod si quis facere præsum-
 ' serit, vel tentaverit usurpare, vel gladii mei sentiet
 ' aciem, vel gladii pœnam sacrilegis debitam subi-
 ' bit absque omni remissione, & redemptione puniendus,
 ' juxta modum et mensuram injuriæ dictis Monachis
 ' irrogatæ. Ego *Cnutus* Rex anno Dominicæ incarnati-
 ' onis: 1032. Londoniis istud meum Chirographum

signo sanctæ crucis confirmavi. ✠ Then follow the subscriptions of both the Archbishops, sundry Bishops, Abbots, Earls and others.

The same year 1012. King Cnute granted and confirmed to the Abbot of Glastonbury, the Conusance of all ecclesiastical and secular causes within the Island of Glastonbury, by a special Charter, *Cum Consilio & Decreto Archipræsulis nostri Edelnothi, & mulque cunctorum Dei Sacerdotum, & Consensu Optimatum meorum*; as the words of the Charter attend, to the end it might be valid in Law. And the self same year King Cnute commanded Elstan, Abbot of S. Augustines in Canterbury to repair to him at the Feast of Pentecost, concerning the translation of the Corps of St. Mildretha to that Monastery, *ut translationem faciendam, ipse Rex, per concessionem Procerum, & per literas suas firmius confirmaret*, as [q] William Thorn in his Chronicle relates. (p) Malmesb. de Gest. Reg. l. 2. c. 11. Spelman. Concil. p. 517. Proposit. 10. (q) Col. 1910. 2127.

King Cnute in the year 1033. on the Feast of Christs Nativity, held a Parliamentary Council at Winchester, where, *Venerando Sapientum ejus Consilio*, by the venerable Council of his Wisemen, he made and published sundry excellent Ecclesiastical and Civil Laws for the good government of the Church and Realm, to the praise of God, the honour of his Regality, and common good of the People, being 103 in the Saxon and 110 in the Latine Copies. His 61 Ecclesiastical Law thus resolves, against the Anti-Magistratical opinion of this licentious age, *Christiano Regi jure pertinet, ut injurias Deo factas vindicet, secundum quod acciderit*. Anno 1033. [r] Chron. Job. Bromt. col. 914. to 932. Lambardi Archiv. Speim. Concil. p. 538. to 570. Fox Acts and Mon. vol. I. p. 211, 212. Proposit. 5, 6, 1, 2, 4.

His Civil Laws begin thus. *Hac est institutio Legum secularium, quam communi Sapientum meorum Consilio, per totam Angliam tunc in præcipuo. Impiis volo, ut Justæ Leges erigantur, et injustæ subvertantur, et omnis Injustitia modis omnibus sarculetur, & modo omnis homo dignus publica rectitudine reputetur,*

pauper & dives quicumque sit, & eis iusta iudicia iudicentur. I shall transcribe only some few of his Laws pertinent to my Theam.

Lex 25. Prohibemus ne Christianus aliquis penitus pro parva re saltem ad mortem deducatur. Sed iustitia pacificans pro necessitate populi exquiratur, ne pro levi re, opus manuum Dei, & sui ipsius pretium, quod profundè redemit desperet.

Lex 26. Precipimus nè Christiani passim in exilio vendantur, vel in Gentilitatem, nè forte pereant anima quas propria vita sua mercatus est Dominus noster Ihesus Christus.

Proposit. 9.

Lex 31. Omnis Injustitia deinceps opprimatur, Burghotam & Brighotam, & Scipforthunga & Frothunga, qui Navigii vel expeditionis sonant apparatus, sedulo procuremus. cum necesse fuerit ad commune regni nostri commodum. Et perquiramus simul modis omnibus quo modo precipuum possit consilium ad profectum populi obtineri, rectaque Christianitas propensus erigi, & quicquid injustum est solertius enervari.

Lex 34. Si quis deinceps Vnlage, i. e. non legem erigat, vel injustum iudicium iudicet, pro laesione, vel aliqua pecunia susceptione, sit erga Regem, CXX s. reus in Anglorum laga, nisi cum iuramento audeat inveritare, quod ratiō etiam nescivit iudicare & dignitatem suam legalitatis semper amittat si non eam redimat erga Regem, sicut ei permittitur. In Denelaga Lathslithes, reus sit si non juret quod melius nescivit.

Lex 36. Qui aliquem accusare presumat, unde pecunia vel commodo peior sit, & denique mendacium pernoscat, linguam suam perdat, vel Weregildo redimatur.

Lex 37. Nemo Regem requiret de iustitia faciendum ei rectum offertur in Händredo suo, & requiratur Hundredum secundum Winam, sicut iustum est.

Lex 38. Et habeatur in anno ter Burgimotus, & Scy-

Scyremotus bis, nisi sapius sit necesse. Et inter sit Episcopus et Aldermannus; et doceant ibi Dei rectum et seculi.

Lex 59. Non est in aliquo tempore concessa INJUSTITIA, et tamen Injustitia est festis diebus et sanctificatis locis propensius interdicta. Semperque sicut homo potentior est, vel majoris ordinis, sic debet solertius pro Deo et seculo quod justum est emendare. Et ideo gratam emendationem sedulo perquiramus de Scripturis Sanctis, et seculari juxta legem seculi.

Lex 83. Si quis de morte Regis vel Domini sui quoquo modo tractaverit, vita sua reus sit, et omnium qua habebit, nisi triplici judicio se purget. Proposit. 3.

Lex 91. Si quis Burgbotam, vel Brigbotam i. burgi vel pontis refectionem, vel Firdfare, i. in exercitum ire supersedeat, emendet hoc erga Regem C. xx. s. in Anglorum laga; in Denelaga sicut Lex stetit antea, vel ita se allegiet, nominentur ei 14. et acquirat ex eis 11.

Lex 96. Hac est alleviatio quam omni populo meo providere volo, in quibus nimis omnino fuerant aggravati. Precipio Prepositis meis omnibus ut in proprio meo lucrentur, et inde mihi serviant. Et nemo cogatur ad firme adjutorium aliquid dare, nisi sponte sua velit. Et si quis aliquem inde gravabit, Weræ sua reus sit erga Regem.

Lex 97. Si quis ex hac vita decedat sine distributione rerum suarum, vel per incustodiam, vel per mortem improvisam, non usurpet dominus ejus de pecunia (nisi quantum ad justam Relevationem pertinet, qua Anglicè vocatur Herreget) sed sit secundum ditionem ejus ipsa pecunia recte divisa, uxori, pueris et propinquis, unicuique secundum modum qui ad eum pertinet. Et sint Relevationes ita minue fiant modus est. Comitibus, sicut ad eum pertinet, hoc est, octo equi, quatuor sellati, quatuor insellati, et galea quatuor, et lorica quatuor, cum octo lanceis et totidem scutis, et gladii quatuor, et CC. marca auri. Postea Thayni regis qui ei proximus sit, quatuor equi, duo sellati, et duo

infellati; et duo gladii, et quatuor lancea, et totidem scuta, et galea cum lorica sua, et 50. marca auri. Et mediocris Thayni, equus cum apparatu suo, et arma sua, vel suum Halsfang. in Westfalia, in Mircenis ijl. in Estanglia, ijl. Et si notus sit Regi, equi duo, unus cum sella et alius sine sella, et unus gladius, et due lancea, et totidem scuta, et 50. marca auri. Et qui minus potest, det duas libras.

Proposit. 4, 9. Lex 104. Et qui fugiat à Domino vel socio suo pro timiditate in Expeditione navali vel terrestri, perdat omne quod suum est, et suam ipsius vitam, et manus mittat Dominus ad terram quam ei antea dederat. Et si terram hereditariam habeat, ipsa in manum regis transeat.

Lex 105. Et qui in bello ante Dominum suum ceciderit, sit hoc in terra, sit alibi, sint relevationes condonata: et habeant heredes ejus terram sicut et pecuniam suam, et rectè dividant inter se.

Lex 107. Et volo ut omnis homo pacem habeat eundo ad Gemonum, vel rediens de Gemono, id est placito, nisi sit fur probatus.

Lex 110. Qui leges istas apostabit quas Rex modo nobis omnibus indulget, sit Dacus, sit Anglus, Weræ sua reus sit erga regem. Et si secundo faciat, reddat bis Weram suam. Si quis addat tertio, reus sit omnium quæ habebit.

In the rest of his Lawes all corporal and pecuniary penalties and fines for all sorts of Offences and Crimes, are reduced to a certainty, and none left arbitrary; and by Lex 104, 105. it is evident, that the Military Laws, as well as the Civil & Ecclesiastical, were made in and by advice and direction of the Great Councils.

[U] col. 913.

The (S) Chronicle of Bromton informs us, that King Cnut, per Chartam suam à se et heredibus suis dedit, quam cito possit in Parlamento suo apud Wintoniam (when and where those Laws were made) coram omnibus Regni sui magnatibus confirmabit, gave and confirmed the Mayors of Harnyng, Ludham and Neter-

shede

shod to the Monastery of Cowholm in Northfolke: And that one Maynard riding towards this Parliamentary Council, brake his neck, who had incited the King against Wulfric and the Monks of this Monastery, that he threatened to put them to death. What lands and privileges he gave by his Charters to St. Cuthberts Church in Durham, Christs-Church in Canterbury, and other Monasteries, the (r) Marginal Authors will inform us.

Dunelmensis, Hist. de Eccl. Dunelm. l. 3. c. 8. Evidentia Eccles. Christi Cantuar col. 2223, 2225, &c. Chron. Will. Thorne, col. 1782. 1908, 1909, 1910.

(m) Malmesb
De Gestis Reg
l. 2. c. 11. Sim

About the year 1034. [u] King Cnut having obtained the Sovereign Dominion of England, Scotland, Norway, a great part of Sweden, and of all Denmarke principally by the Sword, through the flattery of his followers, who stiled him, a King of all Kings, most mighty Sovereign, and the like, who had under his jurisdiction & Dominion not only the People and Land but the Sea likewise; & also by reason of his Great Dominions, was so much elevated with pride of heart, that he once commanded the royal Throne of his Empire to be placed on the Sea shore near the water, as the Sea was flowing in upon it: and then stepping up into his Throne & sitting in it, he spake thus to the Sea in an imperious manner, as if he were absolute Sovereign of it. Tu mea ditionis es, &c. Thou art under my Dominion and part of my Empire, and the land on which I sit is mine, neither is there any one in it who dares resist my command, without punishment. Therefore I now command thee, that thou ascend and come not up upon my land, nor yet presume to wet my royal robes, nor the feet or Members of thy Sovereign. But the Sea, notwithstanding this Inhibition, ascending after its accustomed manner and nature, and no wayes obeying his commands, wet both his feet, legs and royal Robes, without any reverence. Whereupon the King leaping hastily out of his Throne, almost over-late, and retiring from the waves; used these words: Let all

Anno 1034.
[u] Mat. westm.
Anno 1035. p.
409. Hen. Hun-
tindon, Hist. l. 6.
p. 384. Radul-
phus de Diceto,
Abbrev. Chron.
col. 468, 469.
Chron. Iohann.
Bromton, col.
911, 912.
Polychron. l. 6.
c. 25. Hen. de
Knyghton de
Eventib. Angl.
l. 1. c. 5. Fox
Afts and Mon.
vol. 1. p. 211.
Speeds History,
p. 401. Mr. Sel-
dens Mare
Clausum, l. 2. c.
c. 12. Fabian,
part. 6. c. 206.
Polydor Virgil,
Holinsbed, and
others in his
life.

the Inhabitants of the world know, that the power of Kings is but vain and frivolous, and that no man is worthy the name of a King, but he alone, to whose beck both Heaven, Earth and the Sea obey by everlasting Laws. Henry de Knyghton superaddes thereto as part of his Speech, which most others omit. *I am a Wretch and a Captive able to do nothing, possessing nothing without his gift; I commend; I recommend my self to him, and let him be the Gardian of debility, Amen.* After which King Cnute never wore his Crown upon his head, but put it upon the head of the Crucifix at Winchester (as most accord) to the praise of the great King, thereby giving a great example of humility to Kings and Conquerors; who in the height of all their power, can not command the Sea or least wave not to flow or wash them. Henry de Knyghton conceives this to be before his pilgrimage to Rome; others expressly record it was after his return from thence, whose computation There follow, and therefore place it in this year.

In the year of our Lord 1035. King Cnute, a little before his death, made this partition of his kingdoms amongst his Sons. Swane his son by Q. *Algiwa* (or as some affirm of a Priests wife suborned by *Algiwa* as her own) he made King of Norway; his Son *Harde - Cnute* by Queen *Emma*, he caused to be crowned King of Denmark; as *Wigorniensis*, *Hoveden*, and others write, yet some gainsay it, that he made his Son *Harold* King of England, and soon after died at *Shaftesbury*, November, 12. 1035. and was buried at *Winchester*. Immediately after his decease the Nobles met at *Oxford* about the election of a new King, which our Historians thus express. *Convenerunt apud Oxoniam ad Colloquium* (as *Mat. Westm.*) or *Placitum magnum* (as *Huntingdon* and others stile it.) *Præterea Regni, Ut de novo Rege creando tractarent ibidem.* All the Nobles of the Realm assembled in a great Parliamentary Council or Court at Oxford, that they might consult about the electi-

Anno 1035.
(u) Malmesb.
Mat. Westm.
Wigorn. Sim.
Dunelmensis,
Bromton, Hun-
tindon, Hoveden,
Knyghton,
Polychronicon,
Fabian, Holin-
shed, Grafton,
Speed, Radul-
phus de Diceto,
Fox, and o-
thers.
Propos.

tion of a New King (which they would not have done had Harold been made King of England before by Cnute in his life time.) *Leofric*, Earl of *Chester*, and the rest of the Nobles on the Northside of the *Thames*, with all the Danish Princes and Londoners (who by conversing with the *Danes* amongst them, were corrupted with their vices, and addicted to their party) elected *Harold* Son of Cnute by his Concubine *Algiva*, (whom some aver to be the son of a Tayler) for their King ; But *Godwin* Earl of *Kent*, with the Princes of the Western part of *England*, contradicting them, would rather have elected *Harde-Cnute*, son of Cnute by Queen *Emma*, or one of the Sons of King *Ethelred* and *Emma*, then in *Normandy*. After great strife and debate between the Nobles about the Election, because *Harold* was there personally present ; but *Harde-Cnute* then in *Denmark*, and *Alfred* and *Edward* in *Normandy*, *Harold's* party prevailed against Earl *Godwin*, *qui tandem vi & numero minor, cessit violentia*. Whereupon *Harold* was presently crowned King at *Oxford* by *Elnothus* Archbishop of *Canterbury*, though at first he was very unwilling to perform that service. For it is [x] reported of him, that he having the regal Scepter and Crown in his custody, (x) *Holinshed*, *Hist. l. 7. c. 13.* refused with an Oath to consecrate any other for King, so p. 182. Speed's *Hist. p. 404.* long as Queen *Emma* her children were living ; for (said *Hist. p. 404.* she) Cnute committed them to my trust and assurance, See *Antiqu. Eccles. Brit. & Godwin in his life.* and to them will I give my faith and allegiance. This Scepter and Crown therefore I here lay down upon the Altar, neither do I deny nor deliver them to you ; but I require by the Apostolick Authority, all Bishops, that none of them presume to take the same away, neither that they consecrate him King therewith ; as for your self, if you dare, you may usurp that which I have committed to God on this Table. Notwithstanding this great thunderclap being allayed with the showers of Golden promises of his just, good, and religious government intended (though present experience manifested the contrary) he was crowned by him Anno
An.

Anno. 1035. Henry Huntindon and others write, That they elected him King, only to keep the kingdom for his Brother Harde-Cnute then in Denmark: Harold and the Nobles of West-Sex, who opposed his election, upon advice taken, resolved, that Queen Emma wife of the deceased King, should keep West-Sex and Winchester for the use of her Son Harde Cnute, and that Earl Godwin should be their Captain in military affairs. Roger Hoveden, and others record, That Harold being elected King by the consent of the major part of the Nobles of England, obtained the royal dignity, and began to reign, quia iustus hares, because he was a lawfull heir; yet he reigned not so powerfully as Cnute, quia iustior hares expectabatur Harde Cnutus, because a juster heir Harde Cnute was expected: By reason of this disagreement amongst the Nobles, to please both parties; the kingdom of England was therupon divided by Lot; Harold enjoying the Northern part thereof, and Harde-Cnutes friends retaining the Southern part of it for his use.

proposit. 2^a

No sooner was Harold crowned King, but to secure himself the better in his Throne, he presently posted to Winchester with his forces, where tyrannically and forcibly taking away all the Treasures and goods which Cnute had left to Queen Emma his Mother-in-law, he banished her out of England into Flanders; (some write, she was thus banished by the secret Counsel and treachery of Earl Godwin, whom she had made General of her forces for her preservation, who proved unconstant, and a Traytor to her and her children) where in this her distresse she was honourably entertained by Earl Baldwin.

In the year 1036. Alfred eldest Son of King Ethelred comming over to claim his right in the Crown, was with his Norman associates, betrayed, and murdered by the treachery of Earl Godwin, of which I finde these several different relations in our Historians.

(y) Mat.

(7) *Matthew Westminster, Ranulphus Cistrensis*, and [y] *An. 1036.*
 others out of them record; that *Alfred* being in *Nor-* P. 410.

mandy, and hearing of the 'death of *Cnut*, came into England with 23. chosen ships full of Souldiers, ut paternum regnum de Jure sibi debitum, vel pacifice, vel si necessitas cogeret, armorum presidio obtineret; that he might obtain his fathers kingdom, of right due unto him, either peaceably, or if necessity compelled, by force of arms. Who ariving with his forces at *Sandwich* Port, came as far as *Canterbury*: When *Godwin* Earl of *Kent* knew of his coming, he went to meet him, and receiving him in his fidelity, the very next night following compleated the part of the Traytor *Judas* upon him and his fellow Souldiers. For after kisses of peace given, and joyful banquets, in the silence of the midnight, when as *Alfred* and his companions had given their Members to sleep, they were all taken unarmed in their beds, suspecting no harm, by a wultitude of armed men rushing in upon them, and their hands being tyed behind their backs, they were compelled to sit down in order one by another: Where sitting in this manner, nine of them were always beheaded, but the tenth dismissed, and his life reserved for a time: These things were acted at *Gildeford*, a royal Town. But when it seemed to the Traitor *Godwin*, that there were more yet remaining alive of them, than was profitable, he comanded them to be tithed over again, as before, and so very few of them remained alive. But young *Alfred*, every way worthy of royal honour, he sent bound to the City of *London*, to King *Harold*, (that therby he might find greater favor with him) with those few of his followers who remained undecimated. So soon as the King saw young *Alfred*, he caused him to be sent to the Isle of *Ely*, and there to have his eyes pulled out; of the pain whereof he soon after died; but he slew all his Souldiers too perniciously.

Florentius Wigorniensis, Roger de Hoveden, Simeon

Dunelmensis; Radulphus de Diceto, Mr. Fox, and others relate, That the innocent Princes *Alfred* and *Edward*, sons of King *Ethelred*, came out of *Normandy* (where they had long resided with their Uncle *Richard*) into *England*, accompanied with many *Norman* Souldiers, transported in a few ships, to conferr with their Mother *Emma*, then residing at *Winchester*. Which some potent men, especially Earl *Godwin* (as was reported) took very unworthily and grievously, because (*licet injustum esset*.) although it were unjust, they were more devoted to *Harold* than to *Alfred*. Whereupon *Harold* perswaded King *Harde-Knutte* and the Lords, not to suffer those *Normans* to be within the Realm for jeopardy, but rather to punish them for example; by which means he got authority to order the matter himself; Wherefore he met them on *Guild-down*, and there seised upon Prince *Alfred*, and retained him in close Prison when he was hastning towards *London* to conferr with King *Harold*, as he had commanded: And apprehending all his followers, he ransacked some of them, others of them he put in chains, and afterwards put out their eyes; some of them he tormented and punished, by pulling off the skin from their heads, and cutting off their hands and feet; many of them he likewise commanded to be sold; and slew 600 men of them at *Gildesford*, with various and cruel deaths; whose Souls are believed now to rejoyce with the Saints in Paradise, seeing their bodies were so cruelly slain in the fields without any fault; which Queen *Emma* hearing of, sent back her Son *Edward*, who remained with her, with greatest haste into *Normandy*. After which, by the command of Earl *Godwin* and some others, Prince *Alfred* being bound most straitly in chains, was carried Prisoner to the Isle of *Ely* by ship; where he no sooner arived, but his eyes were most cruelly pulled out, and so being led to the *Monastery*, was delivered to the Monks to be kept; where he soon

soon after died, and was there interred. (2) Some [2] will. Cax-
add, that after *Alfred's* eyes were put out, his belly was ^{ton, Fox Affe}
opened, and one end of his bowels drawn out and ^{& Monuments,}
fastened to a stake, and his body pricked with sharp ^{Vol. 1. p. 210,}
needles or poyneyards forced about, till all his in- ^{211.}
trails were extracted: in which most savage torture
he ended his innocent life. *Ranulphus Cistrensis* in
his *Polychronicon*, l. 6. c. 21. relates, that *Godwin* used
this strange cruelty towards those *Normans* that came
over with *Alfred*, whom he twice decimated at *Gil-*
deford; that he ripped up their bellies, and fastned the
ends of their guts to stakes, that were reared and pyght
in the ground, and laid the bodies about the stakes
till the last end of the guts came out.

The Author of the Book called *Encamium Emma*,
and (a) *Speed* out of him, writes, That *Harold* was no (a) *Speeds Hi-*
sooner established King, but that he sought meanes ^{story, p. 405.}
how to rid Queen *Emma* secretly out of the way; and
maliciously purposing took counsel, how he might
train into his Hay the sons of Queen *Emma*, that so
all occasions of danger against him, might at once for all be
cut off. Many projects propounded, this lastly took
effect; that a Letter should be counterfeited in Queen
Emma's name unto her sons *Edward* and *Alfred*, to
instigate them to attempt the Crown usurped by *Ha-*
rold against their right. The Tenor of which Letter
you may read in *Speed*. This Letter being cunningly
carried, & digested by *Alfred* as favoring of no falshood,
he returned answer, he would come shortly over to
attend his Mothers designs: which *Harold* being in-
formed of, forelayes the coasts to apprehend him. Up-
on his coming on shore in *England*, Earl *Godwin* met
him, and binding his assurance with his corporal Oath,
became his Leige-man and guide to Queen *Emma*;
but being wrought firm for *Harold*, treacherously led
these Strangers a contrary way, and lodging them
at *Guildford* in several Companies, there tithed

and murdered them as aforesaid.

[b] *Historiarum*, l. 6. p. 365.

[c] Col. 935, 936.

[d] *Acts and Monuments*, Vol. I. p. 210, 211. *Grafton*, p. 178, 179.

(b) *Henry Huntindon*, the (c) *Chronicle of Bromton*, *William Caxton* in his *Chronicle*, and another *Historian* mentioned by (d) *Mr. Fox*, record, that this murder was after the death of King *Harde-Cnut*. When the *Earls and Barons of England* by common assent and counsel sent into *Normandy* for these two Brethren *Alfred* and *Edward*, intending to crown *Alfred* the elder Brother, and to make him King of *England*; and to this the *Earls and Barons made their Oath*. But *Earl Godwin of West-Sax* sought to slay these two brethren so soon as they came into *England*, to the intent he might make *Harold* (his own son by *Cnutes* daughter, or sister married to him) King; as some of these affirm; Others of them relate, that he intended only to destroy *Alfred*, being an *Englishman* by the Father, but a *Norman* by the Mother, whom he foresaw to be a person of such honour and courage, that he would disdain to marry his daughter, or to be swayed by him; and then to marry his daughter *Godith* to *Edward* the younger Brother, and to make him King, as being of a more milde and simple disposition, apt to be ruled by him. Hereupon *Godwin* went to *Southampton* to meet with the two Brothers at their landing. It fell out, that the Messengers sent into *Normandy*, found only *Alfred* there, *Edward* being then gone into *Hungarie* to speak with his Cosen *Edward the Outlaw*, *Ironsides* son. When *Alfred* heard these Messengers tydings, he thanked God, and in all hast sped him to *England*, ariving at *Southampton* with some of his Mothers kinred, and many of his fellow-Souldiers of like age, who were *Normans*. Whereupon *Godwin* intimated to the Nobles of *England*, That *Alfred* had brought over too great a company of *Normans* with him, and had likewise promised the lands of the *Englishmen* to them, and therefore it would not be safe to instirpate such a valiant and crafty Nation amongst them. That these ought to undergoe exemplary punishment.

punishment, lest others by reason of their alliance to the King, should presume to intrude themselves amongst the English. And then posting to Southampton, welcomed and received Alfred with much joy, pretending to conduct him safe to London, where the Barons waited for to make him King, and expected his coming; and so they passed forth together towards London. But when they came to Guild-down, Godwin said to Alfred, Look round about thee on thy right hand and left, and behold what a kingdom shall be subjugated to thy Dominion. Upon which Alfred giving thanks to God, presently promised, that if it happened he should be crowned King, he would constitute such Laws as should be pleasing and acceptable both to God and Man. Which words were no sooner uttered, but the Traytor Godwin commanded all his men to apprehend Alfred, and to slay all the Normans that came with him in his company: and after that to carry Alfred into the Isle of Ely, and there to put out both his eyes, and to pull out his bowels; which they accordingly executed as aforesaid. And so died this innocent Alfred, right heir to the Crown, through the Treason of wicked Godwin. (e) When the Lords of England heard thereof, and how Alfred that should have been their King, was put to death, through the false Treason of Godwin, against their wills, they were wonderful sorrowfull and wroth, and swore befoze God and Man, that he should die a worse Death than did Coris, which destroyed his Lord Edmond Ironside: and would immediately have put him to death, but that the Traytor fled, and escaped into Denmark, and there continued 4. yeares and more, and lost all his Lands, Rents, Goods and Chattels in England, confiscated in the mean time for this his Treason.

These Historians, though they somewhat vary in the time and occasion of Prince Alfreds death, yet they all agree in the substance of his and of his

[e] Chronicon
Iohan. Bromton
Col. 935, 936.
William Cax-
tons Chronicle,
part. 6. Fox
Aets and Mo-
numents vol. 1.
p. 211.
e-Proposit. 87

[f] *Aets & Monuments,*
Vol. 1. p. 210.

Proposit. 8.

Norman Souldiers and Companions treacherous, barbarous murders, by the joynt or separate treacherie of Earl Godwin, and his son Harold: Which how fatal it proved to them both, by Gods avenging Justice, you shall hear in its due place, and what divine vengeance it drew at last on the whole English Nation, religious and judicious [f] Mr. John Fox informes us in these words. This cruel fact of Godwin, and his men against the innocent Normans; whether it came of himself, or of the Kings setting on, seemeth to me to be the cause why the justice of God did shortly after avenge the quarrel of these Normans, in conquering and subduing the English Nation, by William the Conquerour, and the Normans which came with him. For so just and right it was, that as the Normans coming with a natural English Prince, were murdered of English men; so afterwards the Englishmen should be slain and conquered by the Normans, coming with a foreign King, being none of their natural Country.

Anno 1037.

[g] *Florentius Wigorn. Sim.*

Dunelm. Radul. de Diceto,

Hoved. Brom-

ton, Malmesb.

Winnindon, Po-

lychronicon, Fa-

bian, Caxton,

Holinshed,

Grafton, Speed.

Proposit. 5.

After the banishment of Queen Emma out of, and murder of Prince Alfred in England [g] Harde-Cnute delaying the time in Denmark, and deferring his coming in to England; thereupon Harold, (formerly King only of the Mercians, and Northumbrians,) that he might reign over all England, in the year 1037. *Principibus et omni Populo Rex eligitur*; was elected King by all the Nobles and People. *Harde-Cnute vero, qui in Daniam manserat, et ad Angliam, ut rogabatur, venire distulit, penitus absistit*, as Florentius Wigorniensis, Simeon Dunelmensis, Hoveden, Bromton, Radulphus de Diceto, and others informe us. After which King Harold degenerating from Cnute his Father in all things, took no care at all either of military or civil affairs, nor of his own Courtly honour, doing only his own will, and contrary to his royal estate, going more willingly on foot, (of which he was so swift, that he was named Harefoot) than riding

on Horseback. In his dayes there were rendred and paid
to 16 Ships from every Port (not In-land Towns) 8.
marks of Silver, as in the time of his Father; as (b) [b] Hist. l. 6. p. 365.
Henry Huntindon records: to which (i) John Speed [i] History of Great Britain, p. 425.
subjoynes; This Dane seeing his hazards prevented,
sought to secure himself, and with 16 Ships of the Danish
Fleet kept the Seas, which continued ever in a readiness and
wasted from port to port: to the maintenance whereof, he
charged the English with great payments, to their no lit-
tle grudge and reviling; whereby he lost the love of his
Subjects before it had taken root in their hearts. Neither
held he long those disloyal courses, for that his speedy death
did cut off the infamy of a longer life, he dying at Oxford,
where he was elected King, without wife or children to sur-
vive his person, or revive his name, when he had reigned
only 4. years, and as many moneths, Anno 1040.

Upon the death of [b] Harold, *Proceres tam Anglo- Anno 1040.*
rum, quam Danorum in unum concordantes sen- (k) Malmesb. De Gestis Reg. l. 2. c. 12. In-
tentiam; the Nobles both of the English and Danes gulphus, Mat. Westm. Flor. Wigorniensis, Sim. Dunelm. Radulphus de Diceto, Brom-
(assembling together in a Parliamentary Council) and ton, Huntindon, Hoveden, Knyghton, Po-
concording in one opinion, sent Embassadors to Har- lychron, Caxton, Fabian, Holin-
de-Cause, then at Bruges in Flanders, visiting Queen shed, Grafton, Speed.
Emma his Mother (where he had made great prepa-
ration of ships and land forces, to recover the Crown
of England, which belonged to him both by birth and
compact, from his brother Harold) beseeching him,
to make halt into England, and to take posses-
sion of the Crown thereof. Whereupon he immedi-
ately consenting to the Counsel of the Nobles,
came speedily into England with 60, as some, or 40
ships, as others write, furnished with Danish Souldiers
and Mariners; where he was received with great joy,
elected King both by the English and Danes, and so-
lemnly crowned at London by Elnothus Archbishop of
Canterbury. Soon after he commanded Alfric Arch-
bishop of Yorke, Earl Godwin, and others, to digg up
the interred corps of his brother King Harold out of
his

his grave in *London*, and his head to be cut off by the hangman, and then both head and corps to be thrown into the Common sink, and after that into the *Thames*. And that partly in revenge of the injuries done by him to his Mother *Queen Emma*, in banishing and spoiling her of her money and jewels, against all right and justice : and partly for his unjust invasion of the Crown of *England* ; but in truth, as a just retaliation of his barbarous cruelty to Prince *Alfred* and his *Normans*. For whose treacherous inhumane slaughter, King *Harde-Cnut* deprived *Alfred* Bishop of *Worcester* of his Bishoprick, whose hands were said to have been in *Alfreds* blood. And for which murder he likewise looked with an evil eye upon Earl *Godwin*, compelling him to an Oath of Purgation touching the same. Whereupon *Godwin* by his own Oath, and the Oaths of most of the Nobles of the Realm his compurgators swore, (though most falsely) That Prince *Alfreds* eyes were not put out, nor he murdered (as aforesaid) by his Counsel or consent, but what was done therein, was only by the command of King *Harold*, which he durst not resist. Notwithstanding which Oath, to purchase his peace with *Harde-Cnut*, he presented him with a most rich and royal present, to wit, with a Ship, whose stern was of gold, with 80 Souldiers placed therein, all uniformly and richly suited, having on their heads gilt Burgonets, on their armes bracelets of Gold, on their bodies, Habergeons, Swords, Battel-axes, Targets, and other arms after the *Danish* fashion, all richly gilt, with gilt bosses and darts in their hands. Which Present, though it pacified the Kings indignation, yet it prevented not Gods avenging justice on him afterwards for *Alfreds* blood ; thus partly avenged on *Harolds* carcase, which was cast into the *Thames*, and mangled according to *Harde-Cnutes* command, and lay floating on the water sundry dayes, till a Fisherman in compassion took up his corps, and buried it privately in *St. Clements Dunes*,



CHAP. V.

Containing a Brief Historicall Collection of all the Parliamentary Councils, State-Assemblies, Historicall Passages, and Proceedings that concern the Fundamentall Liberties, Priviledges, Rights, Properties, Laws, and Government of the Nation, under the reign of King Edward the Confessor, from the year of our Lord 1042. to 1066. wherein he died.



ING Harde-Cnute being sodainly taken out of this world without issue by divine Justice on the 6 day of June Anno 1042. thereupon the Earls and Barons of England, immediately after his death, assembled together in a Great Council, about the election of

Anno 1042.

a New King: Wherein (a) OMNES ANGLORUM MAGNATES ad invicem tractantes, DE COMMUNI CONCILIO ET JURAMENTO STATUERUNT, QUOD NUNQUAM TEMPORIBUS FUTURIS ALIQUIS DATUS SUPER EOS IN ANGLIA REGNARET; & hoc maxime pro contemptibus quos Angli à Danis sæpius acceperunt, &c. as the Chronicle of Bromton & others informe us: All the Nobles of the English treating together decreed by common advice, which they ratified with an oath; THAT IN TIMES TO COME NEVER ANY DANE (or person of the Danish blood) SHOULD REIGN OR BE KING OVER THEM IN EN-

(a) Chro. Joh. Bromton col. 934. Fox A&S and Monum. vol. 1. p. 200. 212. Speeds Hist. p. 410. wigorniensis. Sim. Dunelmensis Rad. de Diceto. Mat. Westmister. Huntindon, Hovedon, Polychronicon. Fabian, Caxton, Holinshead, Grafton.

GLAND ANY MORE; disclaiming all Danish subjection; & that especially for the contempts which the English had very often received from the Danes. For if a Dane had met an Englishman upon any bridge, the Englishman must not be so hardy to move a foot, but stand still till the Dane was passed quite over it. And moreover, if the Englishmen had not bowed down their heads to doe reverence to the Danes, they should presently have undergone great punishments and stripes. Whereupon King Harde-Cnute being dead, the English rising up against them, drove all the Danes, being then without a King and Captaine, out of the Realm of England, who speedily quiting the land, never returned into it afterwards.

(b) Page 223.
224. 225.

And here we may justly stand still a while, and contemplate the admirable retaliating justice of God upon our Danish usurping Kings and their Posterity: King Cnute as you heard before, caused the temporizing English Bishops, Nobles and Barons assembled in a Parliamentary Council, against their oaths of allegiance to King Ethelred, Edmund Ironside and their heirs, no less then twice one after another, to renounce, cast off, and abjure their regall Posterity, to make them incapable of the Crowne of England, and settle the inheritance of it upon him and his Danish blood Anno 1016. and 1017. And now in little more then twenty years after, all the English Prelates and Nobles assembled in Council, of their own accords, by a solemn Decree and Oath, abjure, renounce, and eternally disinherite all the Danish blood-royall of the Crown of England, and restore the Saxon English royall line to that sovereignty, which they had formerly disclaimed: such are the vicissitudes of divine Justice and providence, worthy our observation in these wheeling times wherein we live, when no man knoweth what changes of like nature (c) one day or year may bring forth.

(c) Prov. 27.1.
(d) Bromton
col. 934. Hoveden, Huntingdon, Malmesb. Math. Westm. Fox, Speed, Caxtons Chro. pars. 6.

The English putting their Decree for cashiering all the Danes in execution, (d) turned the ments of all the Castles, Forts, Garrisons, Cities, Villages throughout England, as well

well those of the *Royall* and *Noble blood*, as the vulgar sort, and forced them to depart the Realm, as they had formerly banished the English Princes and Nobles. (e)

Proceat igitur Anglorum jam DACORUM DOMINIO

LIBERATI, The Nobles therefore of *Engl.* being thus

freed from the Danes dominion; for so much of God of

his mercy and providence (who is the maker of heirs)

thought good after the wofull captivity of the English

Nation, to grant them some respite of deliverance in ta-

king away the *Danish Kings* without any issue left be-

hinde them, who reigning here in England kept the

English people in miserable subjection about the space

of 28 years, and from their first landing in the time of

King *Bricticw*, wasted and vexed this land for the space

of 255 years: their Tyranny now coming to an end

by the death of *Harde Cnute*; they thereupon assem-

bling together in a great Council, with a generall con-

sent, elected Prince *Edward* (surnamed the *Confessor*,

the youngest and onely surviving son of King *Ethelred*)

for their King; who *ANNUENTE CLERO ET POPU-*

LO LONDONIIS IN REGEM ELIGITUR, as (f) *Mat.*

Westminster relates; whereupon *Edward* being then in

Normandy, where he had long lived in exile, being a

man of a gentle and soft spirit, more appliable to other

mens counsels then able to trust his own, & naturally so

averse from all war & bloodshed, that he wished rather

to continue all his life long in a private exiled estate, then

by war or blood to aspire to the Crown) the Lords sent

messengers to him, to come over and take peaceable pos-

session of the Kingdome of England, they having chosen him

for their King, advising him to bring with him as few *Nor-*

mans as he could, and they would most faithfully establissh

him in the throne. *Edward*, though at first he much

doubted what course to steer, somewhat mistrusting the

treachery and inconstancy of the fickle headed English,

yet at last upon the importunity of the messengers, who

informed him (g) *melius esse ut vivat gloriosus in Im-*

(e) *Huntingdon*

Hist. l. 6. p. 365

Brom on col.

934. *Fox* vol.

1. p. 210. 212.

Speed p. 410.

Propos. 5. 6. 8.

(f) *Flores Hist.*

p. 415.

(g) *Malmsbury*

de Gestis Reg.

l. 2. c. 13.

peris, quàm ignominiosus moritur in exilio. JURE ET COMPETERE REGNUM, ævo maturo laboribus defecato, sciatis administrare principatum per atatem severe, miserias Provinciæ pro pristina æquitate temperare, &c. and upon putting in sufficient pledges, and an oath given for his security, he came into England with a small train of Normans, where he was joyfully received by the Nobles and people. *Nec mora, Gillingham* (or rather *Londoniam*, CONGREGATO CONCILIO, rationibus suis explicitis regem effecit, Dominio palam ab omnibus dato, as *Malmesbury*; or electus est in Regem ab omni populo, as (h) *Huntindon* and others expresse it. After which on Easter day, Apr 2. 1042. he was solemnly crowned King at *Winchester*, with great pomp, by *Eadsi* Arch-bishop of *Canterbury*, by the unanimous consent of the Archbishops, Bishops, Nobles, Clergie and people of England, to their great joy and content, without the least opposition, war or blood-shed, after 25 yeares seclusion from the Crown by the Danish usurpers.

Our (i) Historians generally record, that *Bryghtwold* a Monk of *Glastenbury* (afterwards first Bishop of *Wilton*) when King *Cnut* had banished, and almost extinguished the whole royal issue of the English race, almost past any possibility or probability of their restitution to the Crown, which he had forcibly invaded by the sword; on a certian night fell into a sad deep contemplation of the forlorn condition of the royall Progeny of the English nation, then almost quite deleted by the Danes, and of the miserable condition of England under these foreign usurpers. After which falling into a deep sleep, he saw in a vision the Apostle *S. Peter* himself, holding Prince *Edward* (then an exile in *Normandy*) by the hand, and anointing him King in his sight: who declared to him at large how holy this *Edward* should be, that his reign should be peaceable, and that it should continue for 23 years. After which *Bryghtwold* being yet unsatisfied who should succeed him, and doubting of *Edward's* off-spring

(h) Hist. l. 6.
p. 365.

(i) Malmesb.
de Gestis Reg.
l. 2. c. 13. de gest.
Pontif. Angl. l.
2. c. 13. p. 49.
Mat. Westm. An.
1055. p. 422.
Hen. Huntind.
Hist. l. 6. Sim.
Dunelmensis
Hist. col. 136.
Polychronicon
l. 6. c. 18. Alre-
dus. Abbas de
vita & mira-
culis Edwardi
Confessoris col.
373. Chron.
Joh. Bromton
col. 909. 955.
H. de Knygh-
ton. de Eneri-
bus Angl. l. 1. c.
3. Antiquita-
tes Escl. Brit. p.
88, 89. Speeds
Hist. p. 410.
Ribadenira and
Capgrave in
the life of
King Edward.

off-spring, demanded of S. Peter, who should succeed him? whereunto S. Peter returned him this answer, REGNUM ANGLIÆ EST REGNUM DEI, ET IPSE SIBI REGES (or REGEM as some render it) PROVIDEBIT. *The Realm of England is Gods Kingdom, and he himself shall provide Kings, or a King for himself, according to his good pleasure.* Yea the golden legend of King Edwards life informs us, THAT HE WAS CHOSEN KING OF ENGLAND BY CONSENT OF PARLIAMENT WHILE HE WAS YET IN HIS MOTHERS WOMB, as well as after Hardi-Cnut's death. Take the relation of it in (k) Abbot Ailreds words; and of Brightwolds vision likewise. *Cum igitur gloriosus Rex Ethelredus ex filia praeclarissimi comitis Thoreti filium suscepisset Eadmundum, cognomento Ferreum latus, ex Regina autem Emma, Aluredum; beatus Edvardus inter viscera materna conclusus utriq; praefertur agente eo qui omnia operatur secundum concilium voluntatis suae, qui dominatur in regno hominum, & cui voluerit dat illud.* FIT MAGNUS CORAM REGE EPISCOPORUM PROCERUMQUE CONVENTUS, magnus plebis vulgique concursus, & quia jam futurae cladis indicia saeva praecesserant, AGITUR INTER EOS DE REGNI STATU TRACTATUS. Deinde Rex successorem sibi designare desiderans, QUID SINGULIS, QUIDVE OMNIBUS VIDERETUR EXPLORAT. Pro diversorum diversa sententia res pendebat in dubio. Alii enim Eadmundum ob invictissimum robur corporis, caeteris aestimant praefere- dum: alii ob virtutem Normannici generis Aluredum, promovendum tutius arbitrantur. Sed futurorum omnium praescius, prioris brevissimam vitam, aliterius mortem immaturam prospiciens, in puerum nec dum natum UNIVERSORUM VOTA CONVERTIT. Utero adhuc clauduntur, & in Regem eligitur, non natus natus praefertur, & quem nec dum terra suscepit, terra dominus designatur. Praebet electi REX CONSENSUM, laici PRÆBENT PROCERES SACRAMENTUM, & inusitato miraculo IN-

(k) De vita & miraculis Edm: Confessoris. col. 372. 373.

Propos. 5. 6. 8.

EJUS FIDELITATE JURARUNT, qui virum nasceretur ignorarunt. Tua hec sunt opera, Christe Jesu, qui omnia operaris in omnibus, qui electum & dilectum tibi ante mundi constitutionem plebi tui rectorem hiis indicis declarasti; quem licet per illos, non tamen illi, sed tu potius elegisti. Quis enim non videat, nec aptum usui, nec conveniens tempori, nec consonum rationi, nec humano ferendum fuisse sensui, ut omissis filiis legitimis & adultis, hostili gladio imminente, parvulus, necdum natus ELIGERETUR IN REGEM quem in tali necessitate nec hostes metuere, nec cives revererentur. Sed omnipotens Deus Spiritum prophetiae vici simul & affectui plebis infudit, presentia mali spe futura consolationis temperans, ut sciant omnes in totius regni consolationem regem futurum, quem ab ipso Deo, plebe nesciente quid fecerit, nullus dubitaret electum. Savibat interim gladius hostilis in Anglia; cadibus & rapinis omnia replebantur, ubique luctus, ubique clamor, ubique desolatio. Incenduntur ecclesia, monasteria devastantur, & ut verbis prophetis nar, effuderunt sanguinem sanctorum in circuitu Jerusalem, & non erat qui sepeliret. Sacerdotes suis fugati sedibus, scribæ pax & quies aliqua in monasteriis vel locis desertis inveniebatur, communem miseriam deplorantes delitescabant. Inter quos venerabilis Bryghtwaldus Wintoniensis Episcopus, canebat Glastonienſe marens & tristis ingressus, orationibus vacabat & psalmis. Qui cum aliquando pro Regis, plebisque liberatione preces lacrymasque profunderet, quasi in hac verba prorumpens. Et tu, inquit, Domine usque quo? usque quo avertis faciem tuam, obliviscens inopiam nostram & tribulationis nostram? Sanctos tuos occiderunt, altaria tua suffoderunt, & non est qui redimat, neque qui salvum faciat. Scio Domine, scio, quia omnia quæ fecisti nobis, in vero judicio fecisti: sed nunquid in æternum projiciet Deus, & non opponet & complacitus sit adhuc? erit ne Domine Deus meus, erit ne finis horum mirabilium? aut in æternum tuus in nos mucro deserviet, & percutias usque ad internecionem? Inter preces tandem

& lachrimas fatigatum super suavi excepit; viditq; per somnium calistum chorum cum lumine, beatissimumque Petrum in imminenti loco constitutum, dignum tanta maiestati habitum praferentem. Videbatur ante eum vir praecelari vultu in forma decem: regalibus amictus insignis, quem cum propriis manibus Apostolus consecrasset & unxisset in regem, monita salutis adjecit, praecipueque calicem vitam commendans, quot esset annos regnaturus apernit. Obstupefactus Praesul tanti novitate miraculi, petit sibi à sancto visionis huius mysterium revelari: de statu insuper regni & instantis sine periculi apostolicum exegit oraculum. Tunc factus vultu placido intuens inuentem. Domini, inquit, o Praesul, Domini est regnum, ipse dominatur in filiis hominum. Ipse transfert regna, & mutat imperia, & propter peccata populi regnare facit hypocritam. Peccatum peccavit populus tuus Domino, & tradidit eos in manus Gentium, & dominati sunt etiam qui oderunt eos. Sed non obliviscitur misereri Deus, nec continebit in ira suas misericordias suas. Erit enim, cum dormis cum patribus tuis sepultus in senectute bona, visitabit Dominus populum suum, & faciet redemptionem plebi suae. Eliget enim sibi virum secundum cor suum qui faciet omnes voluntates suas; qui me opitulante regnum adeptus, Anglorum Danico furori finem imponet. Erit enim acceptus Deo & gratus hominibus, amabilis civibus, terribilis hostibus, utilis ecclesiae. Qui cum praescriptum terminum regnandi in iustitia & pace compleverit, laudabilem vitam sancto fine concludet. Quae omnia in beato Edwardo completa res exitus comprobavit; Experges factus Pontifex rursus ad preces lacrimasque convertitur, & Nec felicitatem suam gentis non esset ipse visurus, de malorum tamen sine curis effectus, gratias agens Deo plurimum gratulabatur: Factus igitur animaequior, populis poenitentiam practicabat, quibus Deus misericordiam non defuturam constantissime pollicebatur.

From these passages whether real, as men, as fictitious as some repute them, I shall onely observe these real Truths.

1. That

1. That in King *Ethelred's* reign, great Parliamentary Councils were usually assembled, to consult of the weighty affairs, state, if not succession of the Realm of *England*.

2. That godly men in all ages have been deeply affected with the misery, exile, disinheriting, and extirpation of the Royal Issue and Posterity, by invading foreign usurpers, and with the oppressions of their native countrey under their usurped power; and have poured forth frequent and fervent prayers unto God in secret, for their restitution and relief.

3. That the Nobility, Clergy and people of *England* have ever had a propense naturall inclination and affection to the true royall Blood and Posterity of the Nation, though forcibly constrained to abjure and renounce them for a season by prevailing Intruders; electing them for their Kings, and preferring them before all others upon the very next opportunity to vindicate their rights and liberties, and rejecting the usurpers and their race.

4. That though the Kings of *England* were usually reputed hereditary, yet in truth they were for the most part actually elected by the Prelates and Nobles in parliamentary Councils, and appointed by the generality of the Clergy and people, and had oaths of allegiance given to them by their subjects.

5. That God doth many times beyond all probability and expectation, restore disinherited Princes to their Crowns, of which they have been forcibly deprived, after many years dispossession, and without any wars or effusion of blood, even by the Nobles and peoples own voluntary choice and act, without their seeking: as he did here restore *Prince Edward* after 25 years interruption, and *Aurelius Ambrosius* long before to the British Crown, to omit all others.

6. That Crowns invaded, ravished by force of armes and bloodshed, are seldome long or peaceably enjoyed by the usurpers themselves or their posterity, that of *Curtius* being an experimentall truth, (1) *Non est diuturna possessio in quam gladio inducimur.* All

All which we find experimentally verified in this History of King *Edward* his election and restitution to the Crown of *England*, worthy our special observation.

King *Edw.* coming to the Crown, was not onely very charitable to the poor, humble, mercifull and just towards all men, but also PLURES LEGES BONAS IN ANGLIA STATUIT, *qua pro maiore parte adhuc in regno tenebantur.* Whereupon about the year 1043. (as the *Chronicle of Brompton*, (m) *William Caxton*, in his *Chronicle*, and Mr. *Selden* inform us) Earl *Godwin*, a fugitive in *Dinmark* for the murther of prince *Alfred*, hearing of his piety and mercy, resolved to return into *England*, humbly to implore his mercy and grace, that he might have his lands again that were confiscated: having provided all things for his voyage, he put to sea and arrived in *England*, and then posted to *London*, UBI REX ET OMNES MAGNATES AD PARLIAMENTUM TUM FUERUNT, Where the King and all the Nobles were then at a parliament: here he beseeched & intreated his friends & kindred, who were the greatest Lords of the land after the King, that they would study to procure to him the Kings Grace and friendship, who having thereupon taken deliberate counsel among themselves, led him with them before the King to seek his Grace: But so soon as the King saw him he presently appealed him of TREASON, & of the death of *Alfred* his brother, and using these words unto him, said; THOU TRAITOUR GODVVIN, I THEE APPEAL FOR THE DEATH OF ALFRED MY BROTHER WHOM THOU HAST TRAITEROUSLY SLAIN. To whom *Godwin* excusing himself, answered, *My Lord and King, saving your Reverence, and Grace, Peace, & Lordship, I never betrayed, nor yet slew your Brother: unde super hoc pono me IN CONSIDERATIONE CURIAE VESTRAE; Whence I put my self upon the consideration and judgement of your Court concerning this matter.* Then said the King KARISSIMI DOMINI, COMITES ET BARONES TERRAE, &c.

M m

Most

(in) Col. 937.

938.

(n) Chron.

pars 6.

(o) Titles of Honour. part.

2. ch. 6. sect. 5.

Prop. 2. 4. 5. 6.

Most dear Lords, Earls and Barons of the land, who are my Liege-men now here assembled, you have heard both my appeale and Godwins answer, *Volo quod inter Nos in ista appellatione, RECTUM JUDICIUM DECERNATIS, ET DEBITAM JUSTITIAM FACIATIS*: I will that between us in this appeale you award right judgement and do due Justice. *COMITIBUS VERO ET BARONIBUS SUPER HOC AD INVICEM TRACTANTIBUS*. Hereupon the Earls and Barons debating upon this businesse among themselves, some among them were different in their opinions from others in doing just judgement herein. For some said, that Godwin was never obliged to the King, (so Bromton, to Alfred writes Caxton) by homage, service, or fealty; and therefore HE WAS NOT HIS TRAITOUR, and that he had not slain Alfred with his own hands. But others said, *Quod Comes, nec Baro, nec aliquis Regi subditus, BELLUM CONTRA REGEM IN APPELLATIONE SUA DE LEGE POTEST VADIARE*: That neither the Earl nor any Baron, nor any Subject to the King, could by the Law wage Battell against the King in his Appeal, but ought wholly to put himself in his mercy, and to offer him competent amends. Then Leofric Earl of Chester (or Coventry, as Caxton) a good man towards God and the world, spake and said: The Earl Godwin, after the King, is a man of the best parentage of all England; and he cannot deny but that BY HIS COUNCIL Alfred the Kings Brother was slain; wherefore I alward as touching my part, that himself and his son, and every of us, *DUODECIM COMITES*, the twelve Earls who are his friends and kinsmen, should go humbly before the King laden with as much gold and silver as every of us can carry between his arms, offering that to him for his trespassse, and submissively deprecating, that he would pardon all his rancour and ill-will to the Earle, and receiving his homage and fealty, he would restore and redeliver his lands intirely to him: Unto which award THEY ALL ACCORDING, they all laded themselves with treasure in the manner aforesaid, and going

going to the King, declared unto him the order and manner of their JUDGEMENT, or AVVARD. QUORUM CONSIDERATIONI REX CONTRADICERE NOLENS, QUICQUID JUDICAVERANT PER OMNIA RATIFICAVIT. The King not Willing to contradict them in any thing they had judged, ratified the same in all things. An agreement therefore being made between them in this manner, the Earl presently regained all his lands.

The generality of our Historians (as Bromton confesseth) deny that Godwin ever fled into Denmark, or left England for the murder of Alfred; they generally affirming, that he purged himself thereof (though falsely) CORAM PROCERIBUS, before the Nobles in the reign of Harde-Cnut; swearing with his compurgators that he never consented to his death, NISI REGIA VI COACTUS, but through compulsion by royall violence. Recording likewise, that after the death of King Harde-Cnut, Prince Edward was called out of Normandy, and elected King, principally by the help and counsel of Earle Godwin himself, who (as Malmesbury and others write) perswaded him to accept the Crown, and precontracted with him before he came into England: Paciscatur ergo sibi amicitiam solidam, filiis honores integros, filiarum matrimonium; brevi futurum ut se Regem videat, qui nunc vitæ naufragus, exul spei, alterius opem implorat. Utrinque fide data, quicquid petebatur sacramento firmavit. If there were then any such Parliament as this then held at London, and such proceedings in it concerning Godwin it was most probably in the year 1043. as I here place it. And from these memorable proceedings in it, we may observe,

1. That there is mention onely of the King, Earls and Barons present in this Parliament as members of it, not of any Knights of shires, Citizens or Burgessees elected by the people, of which there is not one syllable.

2. That the Earls and Barons in Parliament were the onely Judges in that age in Parliament between the King

M m 2

and

(p) Malmesb.
De gest. Regum.
l. 2. c. 12. Mat.
westm. Sim.
Dunelmens.
Wigorn. Hun-
tind. Hoved.
Polichron.
Fab. Speed,
Holinsh. Graft.

(q) De gest.
Regum l. 2. c. 13.
p. 80.

and his Nobles, subjects, both in criminal and other causes there decided.

3. That Peers in that age were onely tryed and judged by their Peers, for treason and capitall offences.

4. That appeals of Treason were then tryed in Parliament, and the Earls and Barons the sole Judges of them, and of what offences were Treason and what not.

5. That the Bishops and Clergy in that age had no votes in matters of Treason and capitall offences.

6. That the Judgement of Parliament then rested properly in the Earls and Barons, not the King: and that their judgement was not repealeable by, but obligatory to the King himself.

7. That no Subject could then by law wage battel against the King in an Appeal.

8. That the murther of Prince *Alfred*, then heir to the Crown, in the time of *Harold* an actuall King by usurpation without any good title, by his command, was reputed a treasonable offence in *Earl Godwin*, for which he forfeited his lands, and was forced to purchase his pardon and lands restitution with a great fine and summe to the King.

9. That though the Author of the Chronicle of *Bromton* (& *Caxton* out of him) stile this Assembly *PARLIAMENTUM*, a Parliament, not a *COUNCIL*, yet it is onely according to the stile of the age wherein he writ (being in the reign of *King Edward the third*) as (r) Mr. *Selden* proves, not according to the dialect of the age wherein it was held; to which the term *Parliamentum* was a meer stranger, and *CONCILIUM MAGNUM*, &c. the usual name expressing such Assemblies.

(s) *King Edward*, Anno 1643. immediately after his Coronation came suddenly from *Glocester* to *Winchester*, attended with *Earl Godwin*, *Seward* and *Leofric*, and by their advice forcibly took from his Mother *Queen Emma*, all her gold, silver, jewels, and precious stones, and whatever rich things else she possessed, commanding onely

(r) In his Epistle to *Historia Anglicana*.
Scriptur. p. 41.

Anno 1043.
(s) *Malmesbur.*
de gest. Reg. l. 2.
c. 13. *Flor. Wigorniens.* Mat.
Westm. Sim. Dunelmens. Ann.
1042. 1043.
Bromton. col.
936. 937. *Hoved.* Annal. pars
1. p. 439. *Poly-*
chronicon. l. 6.
c. 33. *Faban,*
Caxt. *Holinsh.*
Grafton, *Speed.*

only necessities to be administred to her there. The Propof. 3. 4.
 cause of which unjust act, some affirm to be *Godwins* malice towards her; others affirm it to be, her unnaturalness to King *Ethelred* her first husband, and her own sons by him, *Alfred* and *Edward*; In loving and marrying *Cnut* their enemy and supplanter, when living, and applauding him when dead, more then *Ethelred*. In advancing *Harde-Cnut* her son by him to the Crown, and endeavouring to deprive *Alfred* & *Edward* thereof. In refusing to give any thing toward Prince *Edw*: his maintenance whiles in exile and distresse, although he oft requested her to supply his necessities. In having some hand in the murther of Prince *Alfred*, and endeavouring to poyson King *Edward* himself, as the Chronicle of *Bromton* relates. After which, by the instigation of *Robert* Archbishop of *Canterbury*, a *Norman* born, he againe spoiled her of all she had, and shut her up prisoner in the *Abbey* of *Wormel*, upon suspicion of incontinency with *Alwin* Bishop of *Winchester*, from which false imputation she purged her self and the Bishop, by passing barefoot over nine red hot ploughshares without any harm. Whereupon the King craved mercy and pardon from her for the infamy and injury done unto her; for which he was disciplined and whipped by his Mother, and all the Bishops there present.

Anno 1044. (1) There was GENERALE CONCILIUM CELEBRATUM, a General Council held at London, wherein *Wolmar* was elected Abbot of *Evesham*. And this year King *Edward* DE COMMUNI CONCILIO PROCERUM SUORUM, as *Bromton* and others write (most likely when assembled in the Council at London) married *Edith* daughter of Earl *Godwin* in patrocinium regni sui, he being the most potent man in all the Realm; there being in her breast a magazine of all liberall virtues. And this same year (most probable by this same Councils Edict) *Gunnilda*, a noble Matron, King *Cruve*'s sisters daughter, with her two sons *Hemming* and *Thur-*

Anno 1044.
 (1) *Flor. Wig-*
guriens. Sim.
Dunelmens.
Hovedon, Mat.
Westm. Malmsh.
D: gest. reg. l. 2.
c. 13. Holinsb.
Grafton.
 Propof. 5. 2.

Anno 1045.

(u) Flor. Wigorniens. M. Westm.
Sim. Dunelm.
Huntingd. Bromt.
Polychronic.
Fabian, Speed.
Propos. 3.9.

Anno 1047.

(x) Wigorniens.
Sim. Dunelm.
Hovedon, Mat.
Westminster,
Malmesb. Bromton, & others.
Propos. 6.9.

Anno 1048.

(y) The Authors in (x).
Proposit. 3.9.

(z) Historia
p. 295. 296.

hell, were banished out of England into Flanders, from whence after a little stay they departed into Denmark: (v) King Edward in the year 1045. assembled together to the port of Sandwich a very numerous and strong Navy, against Magnus King of Norway, purposing to invade Engl. But Swane King of Denmark then warring upon him, hindered his voyage for England. The next year 1046. Osgodius Clapa was banished out of England.

(x) Swane King of Denmark Anno 1047. sent Ambassadors to King Edward, desiring him to send a Navy to him against Magnus King of Norway. Hereupon Earl Godwin counselled the King, to send him at least fifty ships furnished with souldiers: Sed quia Leofrico comiti, ET OMNI POPULO id non videbatur consilium, & CÆTERI PROCERES DISSUASERUNT, nullum ei mittere voluit. But because that Council seemed not good to Earl Leofric and all the people, and the rest of the Nobles dissuaded him from it, he would send no ships to him. Magnus furnished with a great Navy fought with Swane, and after a great slaughter on both sides, expelled him out of Denmark, reigned in it, and compelled the Danes to pay him a great Tribute:

(y) Harold Harvager King of Norway, Anno 1048. sent Ambassadors to King Edward, offering peace and friendship to him, which he embraced. Also Swane King of Denmark sent other Ambassadors to him this year, requesting a naval assistance of ships from him. But although Earl Godwin was willing, that at least fifty ships should be sent him, yet none were sent, because Earl Leofric, OMNISQUE POPULUS UNO ORE CONTRADIXERUNT, and all the people contradicted it with one voice. (z) Abbot Ingulphus records, That Wulgar Abbot of S. Peter, whose Abbey was quite destroyed and burnt to the ground by the Danes, had a long suit in the Kings Court with three Abbots of Burgh, concerning the seat of his Abbey, especially with Abbot Leofric, with whom he most strongly contended: Sed
Regis

Regis curia nimium favente potentiore, & contra pauperum sentiente, tandem sedem monasterii sui perdidit. Tanta fuit Abbatis Leofrici pecunia & tanta Comitis Godwini potentia, which he thus repeats. Illo in tempore venerabilis Pater Wulgatus Abbas Pegelandia: diutissimam calumniam passus ab Abbatibus Burgi, Elfrico, Arwino & Leofrico, Abbatia sua sedem amittens tandem succubuit, & (proh nefas!) totum situm monasterii sui JUDICIO REGALIS CURIAE PERDIDIT. Tantum tunc potuit super Justitiam pecunia, contra veritatem versutia, & in CURIA regis Hardecnuti Godwini potentia. After which he addes, that in the year 1048. when the said Abbot *Wulgat* having lost the site of his Monastery, had laid the foundation of a new Monastery in his Manor of *Northburt*, next adjoyning to the old, intending to translate his Abbey thither, and diligently laboured to reedifie a Church, Dormitory, with other claustral offices there, being assisted with the alms of many believers, *Fernus*, a Kt. Ld. of *Bosworth*, openly shewd out of the Abbots own writings, that the said Manour of *Northburt* was given by his progenitors to the Monastery of *S. Pega* and to the Monks there serving God, whence by consequence he al edged, That seeing Abbot *Wulgat* and his Monks did not serve God and *S. Pega* from this time forwards in that place (where the old Monastery stood) that they ought not from henceforth to enjoy the said Manour. Acceptatum est hoc A REGIS JUSTITIARIO, ET CONFESTIM ADJUDICATUM EST dictum manerium de *Northburt* cum omnibus suis pertinentiis praedicto militi *Fernoto*, & tanquam jus suum hereditarium, de monachis ecclesiae sanctae *Pegae*, alienatum perpetuo & sublatum. Quod cum per universum Regnum citius fuisset cognitum, scilicet Abbatum de *Peikirk*, prius amisisse monasterium suum, & consequenter manerium ad monasterium quondam pertineus; similiter *Edmerus* miles & dominus de *Holbrok*, calumniam movit contra eundem Abbatem & monachos suos de manerio suo de *Maksey*; & *Horsingus* de

Proposit. 4.5.

de Wathe calumniatus est, & pro Manerio suo de Badingtō, & Siwardus Comes de Manerio suo de Bernack, & Hugolonus Thesaurarius de Manerio de Helieston, & alii plures de aliis mane iis dicto Monasterio dudum pertinentibus; & omnes eadem ratione in dicta causa contra Monachos obtinuerunt, & tam de maneriis, quam de Monasterio suo dictus Abbas de Peibec ac Monachi sui nequiter & crudeliter ejeti sunt, ut nunquam alicui veniat damnum solum. Cum itaque Abbas Wulgatus & conventus suus, Monachi scilicet, &c. sic de Monasterio destituti, vagabundi & in proximo dispergendi in omnem ventum pro extrema miseria fluctuarent, misertus eorum piissimus Rex Edwardus, omnes in suam curiam suscepit, & usquequo eis provideret, suam capellam, ac aulam quotidie frequentare imperavit. The Abbot of Croyland dying soon after, and his pastorall staff by which he was invested, being presented by the Prior and two Monks to King Edward, the King thereupon immediately invested Wulgatus in the Regiment of the Monastery of Croyland by the delivery of the Pastorall staff unto him, seconded with his Charter of donation, without any election by the Convent. Inter precipua Monasteria tunc magno nomine predicabatur Croilandia, tot & tanta in tempore Danica Tribulationis in Regis curiam semper manu promptissima effuderat donaria ET TRIBUTA. A multis itaque annis retroactis, NULLA ELECTIO PRÆLATORUM ERAT MERB LIBERA ET CANONICA, SED OMNES DIGNITATES TAM EPISCOPORUM QUAM ABBATUM PER ANNULUM ET BACULUM REGIS CURIA PRO SUA COMPLACENTIA CONFEREbat. These proceedings and judgements against the Abbot & Monks of S. Peter and Peikirk, were the occasion (as I conceive) of this passage in William of Malmesbury touching King Edwards reign. Fuerunt tamen nonnulla quæ gloriam temporum deturbarent. Monasterii tunc monachis viduata; PRAVA JUDICIA A PRAVIS HOMINIBUS COMMISSA, &c. Sed harum rerum invidiam

(a) De gest. reg.
l. 2. c. 13. p. 79.
80.

am amatores ipsius ita extenuare conantur: Monasterio-
rum destructio, PERVERSITAS JUDICIORUM, non
ejus scientia, sed per Godwini filiorumque ejus sunt com-
missa violentiam, qui regis indulgentiam videbant; postea
tamen ad eum delata, acriter eorum exilio vindicata. To
which may be referred that story of *Walter Mapans*,
in *Mr. Camdens Britannia*, p.374.375. of Earl God-
wins thrusting the Abbess of *Berkley* and her Nunnes
out of the Monastery of *Berkley* (which he begged of
King *Edward*) by this wile; He caused a young Nephew
of his feigning himself sick, to lie so long in the Nunnery till
he left the Abbess and all her Nunnes great with child:
and then complaining of, & proving this their incontinency
before the King, ejected the Abbess and Nunnes, and
gained the Nunnery and Manour of *Berkley* to himself,
worth 500l. revenue. Together with this (b) Godwins
cheating the Archbishop of *Canterbury* of his Manour
of *Boseam* in *Sussex*, by a wily word-trap and equivoca-
tion, recorded by the same authors.

(b) *Camdens*
Britan. Suff.
p.307.

King *Edward*, Anno 1049. was so deeply affected
and ravished with Gods extraordinary mercy towards
him, in preserving him like another *Joash* from the
cruelty of the bloody *Danes*, and restoring him beyond
expectation to the Crown of *England*, without his
seeking, or the least effusion of blood, after sundry
years dispossession by the *Danish Intruders*, that there-
upon, he vowed a solemn pilgrimage to *Rome*, there to
render humble thanks and gifts to God for this signall
mercy. For diligently having prepared great summes
of money to defray his expences; with many rich
presents, he assembled all the Nobles and Prelates of
the Realm in a Parliamentary Council, acquainting them
with this his vow and intended pilgrimage, and craving
their advice, how the Realme might be justly governed,
preserved in peace, and defended in his absence, till his
returne from *Rome*. Upon which the Nobles after
serious consultation, considering the great inconve-
niences and perils that might befall the kingdome by
his absence, being but newly settled; and the manifold

Anno 1049.
(c) *Mat. Westm.*
An. 1049.
p.416.

Propos. 5.6.9.

dangers that might happen to him in so long a journey; and what new troubles and mishaps might befall the Realm, if he should miscarry in the way, having no issue; would by no means permit him to undertake this pilgrimage, but dissuaded him from it; and by common consent at last agreed to send solemn Ambassadors from the King and them to the Pope, to represent the inconveniences and perils that might befall the Realm by his absence from it, and thereupon to procure a dispensation from this his vow and pilgrimage. Which the Ambassadors accordingly representing, the Pope thereupon dispensed with the Kings vow, upon this condition and firme injunction, that the King should distribute to the poore all the expences he had provided for his journey, and should either build a new, or repaire an old Monastery, in honour of S. Peter, the Prince of the Apostles, and endow it with sufficient revenues to maintain the Monks; confirming by his Apostolicall Authority all the lands or revenues which the King or any other should conferre upon that Monastery, and whatever priviledges he would think fit to grant thereunto, pertaining to the honour of God and denouncing an eternall malediction against the infringers of them. The Ambassadors returning with this dispensation, St. Peter revealed to one *Ulf* a Monk and Anchorite, that his will was, that the place called Westminster (then lying ruinous) should be restored: which vision when he had related to the King and his Council, *REX TOTIUS REGNI CONSILIO*, The King by the advice of the whole Realme (assembled in a parliamentary council) rebuilt the foresaid place, and endowed and enlarged it with very ample possessions, rents and liberties.

(d) *De vita & Mucanilis Edwardi Confes.*
col. 379. 380.
381. &c.

Prop. 5. 6. 9.

The passages of this story being very memorable, and pertinent to my discourse, I shall present you with them at large in the words of Abbot *Ailred*, who thus records them: (d) 'Succedentibus prosperis, Rex beatus nequaquam sui sponsionis est oblitus, nec in die bonorum, immemor fuit malorum. Sed cogitans & recogitans quanta sibi fecerit Dominus, qui dicavit
'ege.

egenum, sublimavit humilem, inglorium coronavit,
parat reddere vota quæ distrinxerunt labia ejus.
Parat sumptus, separat donaria, VOCATISQUE TO-
TIUS REGNI PRIMATIBUS, habuit cum eis hu-
jusmodi, vel DE STATU REGNI, vel DE SUA PE-
REGRINATIONE SERMONEM:

"Benedictus Deus qui magnificavit misericordiam
suam facere nobiscum, qui visitavit in virga iniquita-
tes nostras, & in verberibus peccata nostra, pietatem
suam non amovit à nobis. Ecce quomodo deposuit po-
tentes, & exaltavit humiles; quomodo esurientes im-
plevit bonis, & divites dimisit inanes. Per me Reges
regnant, ait ipse, & principes iusta discernunt. Non
excidit à nobis quomodo intransibis in hereditatem no-
stram barbaris, facti sumus opprobrium vicinis nostris,
subsannatio & illusio hiis qui in circuitu nostro sunt. Alii
namque interfecisti, alii fugasti, alii iugo ignominioso
servitutis oppressisti, ferè nihil honoris, nihil gloria generi
nostro reliquerunt. Tandem defuncto Patre meo, patribus
peremptis, actis in exilium Nepotibus, cum hostibus nostris
in omnibus fortuna faveret, mihi profectò nihil spei su-
peresse videbatur. Ego verò contra spem in spem cre-
dens, & Domini misericordia me totum dedens, peregri-
nationem meam ad sanctorum Apostolorum limina vovi,
& deinceps divina me protectioni dispositionique com-
misi. Ille autem respexit in orationem meam, & non sprevit
precem meam, & abstulit obprobrium meum, & restituit
me in regnum Patriæ meæ: insuper cumulavit divitiis, auxiis
gloriâ, donis cœlestibus illustravit; SINE SANGUINE
REBELLES SUBEGIT, hostes subvertit, & omnia nostra
amabili quadam composuit pace. Absit, absit ut tot
& tantis ejus beneficiis inveniamur ingrati, quin potius de
manu inimicorum nostrorum liberati, serviamus illi in
iustitia & veritate. Faciamusque quod ait Propheta;
Vovete & reddite Domino Deo vestro. DECERNI-
TE ERGO ME CUM, QUOMODO ME PEREGRINAN-
TE REGNUM SUBSISTAT ANGLORUM; QUAE
LEGE, QUAE PACE, QUO JUDICE OMNIA DISPO-
NANTUR: QUIS CUI PRÆFERATUR REGI-

Propof. 5.6.9.

‘ONI, QVIS CASTRA, QVIS URBS, QVIS PRIVA-
 TA, QVIS PUBLICA NEGOTIA PROCHRENT. Erit
 enim unus omnibus Custos & PROTECTOR DEUS, &
 pacem quam dedit, ipse servabit, nobiscum profectens, &
 vobiscum remanens, qui & vos custodiat, & nos reducat.

Ad hanc vocem tota illa multitudo contremuit, &
 interiorem produnt lachrymis suspiriisque dolorem. Jam
 jamque manus Danica timebatur quam ejus meritis
 evaserant, jamjamq; deletum iri totam patriam formida-
 bant. Erupit sermo in populum, & ecce clamor, ecce tu-
 multus, & quasi jam savirent incendia, plena lacrimis
 insula videbatur. Videres pauperes nunc manus exten-
 dere ad cœlum, nunc rursus in terram ruere, & quasi
 morituros fame si Rex discederet, de sepultura tantum &
 tumulo cogitare. Tunc OMNES IN COMMUNE VOCI-
 FERANTES IN REGEM, se non deserendos, se non ex-
 ponendos gladiis, patriam hostibus non prodendam, nec de-
 mittendâ paces obsidē quem Deo dante receperant, nec pro uno,
 ut putabatur, bono tot ADMITTENDA PERICULA AL-
 LEGABANT. IMPERANT PONTIFICES, ROGANT
 PROCERES, PLEBS EXTORQUIT, ut si non omittendū
 iter istud censuerit, CENSAT VEL DIFFERENDUM.
 Tunc ille tot lacrimis, tot vocibus, tot precibus se urge-
 ri sentiens, diu inter pietatem & desiderium fluctuabat;
 quia & voto supersedere periculosam, & tantorum pre-
 cibus fletibusque non cedere, inhumanum arbitrabatur.
 Tandem quod aprius esset Deo scire desiderans, peregrina-
 tionem non quidem dimittendam sed differendam
 interim consultius æstimabat, donec Apostolica auctori-
 tatis consilio & voluntate consulta, ex ejus sententia, aut
 votum redimeret aut impleteret. His auditis, tanta fuit
 omnibus divitibus pauperibusq; læticia, ut Edwardum su-
 um rursus sibi redditum, rursus revocatum exilio æstima-
 rent. Agit unusquisque pro gradu suo, pro officio suo, pro
 facultate sua, ut regem dilationis non cœdest, aliis oratio-
 nes, elemosinas aliis, suam etiam pro eo peregrinationem
 nonnullis promittentibus. Disigendi mox ad sedem apo-
 stolicam ELIGUNTUR LEGATI, Archiepiscopus Ebra-
 cenfis Adelredus, Episcopus Wintoniensis Hermannus,
 Abbatēs

Abbatēs præterea duo spectatæ religionis, cum pluribus aliis tam clericis quam laicis. Parantur interim necessaria, susceptoque à rege mandato ad urbem proficiscuntur. Credendum Dei actum providentiâ ut regii responsales congregatam ibi SYNODUM MAXIMAM reperirent, in qua præsidente beatæ recordationis Papa Leone, de negotiis ecclesiasticis tractabatur. Gaudet in eorum adventu illa sanctorum præclara societas, & quasi sibi missum de cælo solatium tantorum Patrum præsentiam suscepere; magnum Dei munus judicantes, quod à finibus terræ tales viri tali tempore tali conventui occurrissent. Igitur patre beatissimo præcipiente nuncii causam pro qua venerant dicturi procedunt in medium, patribus qui assidebant præsentibus cum summa devotione silentium. Exponunt desiderium regis, ET REGNI PERICULUM, dispendium pacis, clamorem pauperum, lacrimas orphanorum; OBDUCTAM ETIAM NECDUM RECENTIS PLAGÆ CICATRICEM ASSEREBANT, QUÆ DANICA RABIE ANGLIS INFELICTA, SI REX DECEDERET, ACRIOR TIMEBATUR. Silentibus nunciis sonuit in ore omnium gratiarum actio & vox laudis. Prædicatur circa Deum Regis, circa Regem plebis devotio; Mirantur mansuetudinem David, prudentiam Joseph, divitias Solomonis in tali principe convenisse. Tandem summo Pontifice dictante sententiam, OMNES IN COMMUNE DECERNUNT, PRO PACE REGNI, PRO UTILITATE ECCLESIAE, pro necessitate pauperum, & quiete monasteriorum, Regem auctoritate Dei & beati Petri, PRÆSENTIS ETIAM SACRATISSIMÆ SYNODI, à voti hujus vinculo solemniter absolvendum, expensas paratas itineri pauperibus erogandas; in voti recompensatione construendum in Honoræ beati Petri regis copias monasterium, vel aliquod destructum à barbaris reparandum. Exhinc legatiarii oblati muneribus quæ sanctorum Ecclesiis Rex sanctus direxerat, accepta benedictione Pontificis cum literis apostolicis læti repatriant: transvectiq; in insulam IN CONSPECTU CONCILLI, QUOD PROPTER HOC IPSUM REGIA POTESTAS COEGIT, epistolam tradiderunt.

Prayers then
by this Popes
decree are as
effectuall and
acceptable to
God in any o-
ther place as
in Rome it self.

Popes in that
age determi-
ned no weigh-
ty matters, e-
ven in Rome it
self, but by the
major part or
unanimous
vote of a Syn-
nod.

‘ Leo Episcopus servus servorum Dei, dilecto filio Ed-
‘ wardo Anglorum Regi salutem & apostolicam benedicti-
‘ onem. Quoniam voluntatem tuam laudabilem & Deo
‘ gratam agnovimus, gratias agimus & ei per quem reges
‘ regnant, & principes iusta odecernunt. Sed quia prope est
‘ Dominus in omni loco omnibus invocantibus eum in veri-
‘ tate, & sancti Apostoli cum suo capite conjuncti unus spiri-
‘ tus sunt, & pias preces equaliter audiunt; Et QUIA CON-
‘ STAT PERICLITARI REGIONEM ANGLICA-
‘ NAM EX TUA DISCESSIONE QUI FRANO JU-
‘ STITIÆ TUÆ SEDITIONOSOS EJUS MOTUS COHI-
‘ BES. Ex auctoritate Dei & sanctorum Apostolorum &
‘ SANCTÆ SYNODI absolvimus te à peccato illius voti
‘ pro quo Dei offensam times, & ab omnibus negligentia
‘ & iniquitatibus tuis; ea nimirum potestate nisi quam De-
‘ minus in beato Petro concessit nobis, dicens, Quaecunque
‘ solveritis super terram, soluta erant in caelis. Deinde pra-
‘ cipimus tibi sub nomine sanctæ obedientia & penitentia,
‘ ut expensas quas ad iter istud paraveras, pauperibus eroges
‘ & cœnobium Monachorū in honore sancti Petri apostolorū
‘ principis aut novum construas, aut vetustum augeas &
‘ emendes, & sufficientiā victualium fratribus de tuis reddi-
‘ tibus constituas, quatenus dum illi assidue inibi Deum
‘ laudaverint, & sanctis angeatur gloria, & tibi indulgen-
‘ tia: Cui loco quicquid contuleris vel collatum est, vel conse-
‘ retur, ut ratum sit apostolica auctoritate precipimus, &
‘ ut semper habitatio Monachorum sit, & nulli laica per-
‘ sone nisi regi subdatur. Et quaecunque privilegia ibi con-
‘ stituere volueris ad honorem Dis pertinentia, concedimus,
‘ & robustissima auctoritate confirmamus, & infractores
‘ eorum aeterna maledictione dampnamus.

After which Abbot Ailred at large relates the vision
of the Anchorite in Worcester-shire, and S. Peters com-
mand to him therein, to eminent King Edward in dis-
charge of his vow, to repaire and endow the Abbey of
Westminster, which he signified in a letter sent by him to
the King, delivered and read in the Council the very
same day the Popes letter was read. Ea igitur die, loco
co. 2. NEODEM CONCILIO quo legati redeuntes ab urbi;
apostolicum

apostolicum regulare mandatum, epistola etiam viri Dei regi presentata proferitur in medium. Lilloque sancti Papa Leonis rescripto, loco sequenti beati senis apices recitantur, &c. Tunc rex letus & glacer, ut ei fuerat constitutum, pecuniam quam in peregrinationis sue solatium procuraverat, dispersit & dedit pauperibus, operique injuncto intendens animum thesauros effudit. When he had fully rebuilt and finished this Monastery, he sent *Eldred* Archb. of York, *Guiso* Bishop of Wells, and *Walter* Bish. of Hereford again to Rome to Pope *Nicholas*, with a Letter and *Peter* pence, and royall presents, desiring his absolution from his former vow, and confirmation of the liberties and priviledges of the Abby of *Westminster*, and the lands conferred on it; who thereupon granted to this Abbey. Ut amplius in perpetuum regie constitutionis & consecrationis locus sit, atque repositorium regaliū insignium, & habitatio perpetua monachorum, qui nulli omnino persone nisi regi subdantur, habeantque potestatem secundum regulam sancti *Benedicti* per successores eligere idoneos Abbates, &c. Absolving and exempting the Abby from all episcopal service, exaction, Dominion & Jurisdiction, ratifying all their lands and liberties, denouncing a perpetual Anathema against the invaders, diminishers, dispersers, or sellers of them, with *Judas* the Traytor. Closing his Bull and letter thus; Vobis vero, & posteris vestris regibus committimus ADVOCATIONEM & tuitionem ejusdem loci, & OMNIUM TOTIUS ANGLIÆ ECCLESIA-
RUM, ut vice nostra CUM CONCILIO EPISCOPORUM ET ABBATUM, CONSTITUAS UBIQUE QUÆ JUSTA SUNT. Scientes per hoc vos recepturos dignam mercedem ab eo, cujus regnum & imperium non desinet nec minuetur in seculum. The Kings and Popes letters are at large recorded by *Ailred*, who addes, Lettis igitur Apostolice majestatis apicibus, exultavit in gaudio Rex beatissimus, omnique sollicitudine quam ex voti obligatione contraxerat exuitur, CUNCTAQVE REGNI NEGOTIA DUCTUS PROCERIBUSQUE COMMITTENS, solum se divinis mancipabat otio.

(e) *Ailredus* Abbas *Rivallis*, de vita & miraculis *Edw. Confess.* col. 386. 387. 388.

(f) *Spelm. concil.* p. 626. to 637.

Propos. 5. 10.

(f) *K. Edw.* after these two Embassies to Rome, by three

le:

severall Charters (wherein he recites these Embassies, the Popes letters in answer to them, and the vision-foresaid) CUM TOTIUS REGNI ELECTIONE: & CUM CONSILIO ET DECRETO ARCHIEPISCOPORUM, EPISCOPORUM, COMITEM, ALIORUMQUE MEORUM OPTIMATUM PROSPICIENS (assembled in a great parliamentary Council for that purpose) granted and confirmed sundry lands and privileges to this Abby of *Westm.* which all the Prelates confirmed, not onely with their subscriptions and the sign of the crosse, but likewise with a solemn *excommunication*: In the first of which Charters there is this memorable recital agreeing with Abbot *Ailreds* relation.

(g) *Spelman.*
Concil. p. 628.

‘(g) *Edwardus* Dei gratia Anglorum Rex, &c. Scire vos
‘ volo, quoniam tempore avorum meorum, patrisq; mei,
‘ multa & gravia bellorum pericula affligerunt gentem
‘ Anglorum, & ipsos tam à suis, quàm ab extraneis concit-
‘ tata; adeo ut penè periclitata sit HEREDITARIA
‘ REGUM SUCCESSIO, magnūque interstitium inter
‘ fratrem meum Edmundum, qui patri meo mortuo suc-
‘ cessit, meque habitum sit, invadentibus regnum *Swegen-*
‘ *no* & *Cnutto* filio ejus, Regibus *Dano-um*, ac filiis ipsius
‘ *Cnutto*, *Haroldo* & *Harde-Cnutto*; à quibus & alter me-
‘ us frater *Alfredus* crudeliter est occisus, solusque, sicut
‘ *Joas* occisionem *Otholiz*, sic ego crudelitatem eorum
‘ evasi. Tandem respectu misericordiz DEI, POST
‘ PLURES ANNOS EGO EDWARDUS AD PATERNUM
‘ SOLUM REACCESSI, ET EO POTITUS SINE ULLO
‘ BELLORUM LABORE, sicut amabilis Deo *Solomon*,
‘ tantā pace & rerum opulentiā abundavi, ut nullus an-
‘ tecedentium regum similis mei fuerit in gloria & divi-
‘ tiis. Sed gratia Dei, non me, ut assolet, ex opulencia
& superbia contemptus invasit; immo coepi cogitare cu-
jus dono & auxilio ad regni culmen evasi, quoniam dei
est regnum, & cui vult dare illud; & quia mundus tran-
sit & concupiscentia ejus, qui autem totum se subdit
Deo, feliciter regnat, & perpetualiter dives est: itaque
deliberavi me ire ad lumina subliminum Apostolorum
Petri & *Pauli*, & ibi gratias agere pro collatis beneficiis,
&

King Edward in the year 1051. released the English, Anno 1051. from the heavy tribute of Danegeld, which Florentius Wigorniensis, and Simeon Dunelmensis, thus expresse. Rex Edvardus Absolvit Anglos a gravi vectigali. 38. Proposition 1. anno, ex quo pater ejus Rex Athelredus Danicos solidarios solvi mandavit &c. quod eis pater suus propter Danicos solidarios imposuerat, as (i) Brompton renders it in another place; Roger de Hovedon Annalium pars 1. p. 441. Ro- (i) Chronicon. col 938. 943. dolphus de Diceto Abbreviatione Chronicorum, col. 145. use the same words. Ailredus Abbas Rievallis, de vita & miraculis Edwardi Confessoris Col. 383. thus relates it. Insuper & Tributum illud gravissimum, quod tempore patrie sui primo classi Danica pendebatur postmodum vero illico regis Annis Angulis inferebatur, regia liberalitate remissit, et ab onere hoc impositum in perpetuum Angliam absolvit. Unde sancto huic regi non inconvenienter aptatur quod scriptum est; Beatus vir qui inventus sine macula, & qui post aurum non abiit, nec speravit in pecunia thesauris. Post aurum non abiit, quod potius dispersit, nec speravit in thesauris, quos in Dei opere non tam minuit quam consumpsit.

(1) Matthew Westminster records it in these words, Anno gratiae 1051. Rex Edwardus, a vectigali gravissimo Anglos absolvit, quod patre vivente, Danicis stipendiariis, Triginta octo millia librarum solvi consuevit. Henry de Knighton, De eventibus Angliae. l. 1. c. 9. fol. 233. 1. and Higden in his Polychronicon. lib. 6. c. 24. f. 254. thus relate it: Rex Edvardus absolvit Anglos a Gravi Tributo quod pater ejus Ethelredus Danicis solidariis solvi fecerat, & jam per 40. annos duraverat; which Fabian in his Cronicle, part 8. c. 210. p. 282. Graston in his Cronicle. p. 170. Speed in his History. p. 410. Holinshed and others thus expresse. This King Edward discharged English men of the great and most heavy Tribute called Danegeld, which his Father Ethelred had made them pay to the Souldiers of Denmark, and had then dured 40. years, So that after that day it was

no more gathered. *Abbot Ingulfus. Historiæ pag. 897.* thus records it more at large. *Eodem etiam Anno 1051. cum terra non daret solitâ fertilitate fructus suos, sed famines plurimos habitatores devoraret, in tantum ut bladum carentia, & panis inopia multa hominum millia morerentur, misericordiâ motus super populum piissimus Rex Edwardus, Tributum gravissimum, quod Danigelo dabatur omni Angliæ in perpetuum relaxabit, Ferunt quidam, regem sanctissimum, cum dictum D A N I G E L D cubicularii sui collectum in regis cameram infudissent, & ad videndum tanti Thesauri cumulum ipsum adduxissent, ad primum aspectum exhoruisse, protestantem, & demonem super acerbam pecuniæ saltantem & nimis gaudio exultantem prosperisse; unde pristinis possessoribus iussit statim reddere, & de tam fera exactione ne jota unum voluit retinere, quin in perpetuum remisit, anno scilicet 38. ex quo tempore Regis Ethelredi, patris sui Suanus, Rex Danorum suo exercitui illud solbi singulis annis imperabit.* This History of the Devils dancing upon this Money, is thus more fully related by Roger de Honeden: *Annalinum pars prior pag. 447. Item de eodem Rege Edvardo quadam die contigit quod cum prædictus Rex Anglorum Edwardus (Reginâ & comite Haraldo deducenribus) ararium suum intravit ut pecuniam videret magnam, quam Regina & Comes Haraldus, Rege ipso inesciente, colligissent ad opus Regis (scilicet per singulos comitatus totius Angliæ: de unaquaque hida terræ quatuor, denarios, ut Rex inde, contra natale Domini pannos emeret ad opus militum &, servientium suorum) cumque Rex intrasset ararium suum, comitantibus Regina, & Comite Haraldo, videt diabolum sedentem inter Denarios illos: & ait illi Rex, quid hic facis? cui demon respondit: custodio hic pecuniam meam; & dixit Rex, conjuro te per Patrem & Filium & Spiritum sanctum, ut indices mihi, Quamobrem pecunia ista tua est? & respondens dixit ei demon, Quia iniuste acquisita est de substantia pauperum. Illi autem qui illum comitabantur*

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*conitabantur stabant stupefacti, audientes quidam illos lo-
quentes, neminem autem videntes præter solum Regem: &
ait illis Rex, Reddite denarios istos illis a quibus
capti sunt, & fecerunt sicut præcepit illis Rex:*
which is likewise remembred by *Capgrave, Surinus,
Ribadeniera*, and others in the life of *King Edward the
Confessor*.

From all which relations compared together, it
is apparent.

First, That *Dangeld* was a great, most heavy, and
intolerable Tribute, first imposed in *King Ethelreds*
reign, to pay the *Danish* Navy, and Souldiers then in-
vading *England*, to keep them from plundering, and
spoiling the people.

1. That *King Swane* the invading and usurping
Dane, after he had gotten the power of this Realm,
imposed it annuallly on the English, and made it
an early Tribute to pay his Army.

3. That the *Danish* succeeding Kings continued, and
made it a kind of annual revenue to cloath, and pay
their Souldiers and Marriners, for sundry years toge-
ther.

4. That it was yearly paid unto the Kings Exche-
quer, and reduced to a certainty, to wit, four pence a
year, out of every Hide, or plough land, thorowout
England, or else twelve pence or two shillings a year; as
the laws of *Edward the Confessor*: the black Book of the
Exchequer; and *Sir Henry Spelman* in his Glossary, *Title
Danegold*, affirms.

5. That *King Edwards* Officers after the *Danish*
Kings expired reignes, did collect it of the *English*
Subjects, without his privitie, to cloath, and pay his
Souldiers and followers.

6. That he out of mercy, piety, conscience and
justice to his people; not only restored it to them,
when collected, and brought into his Exchequer,
without retaining one farthing of it, but likewise for

ever released it to them, so that it was no more collected, during his reign.

7. That Taxes unjustly leavied upon the poor oppressed people, are very pleasing and acceptable to the devill himself, who claimes the money so collected for his own; and that the Collectors, and exacters of such Taxes, (though for the payment of Armies and Souldiers) are really, but the devils agents, and instruments, who will one day pay them their deserved wages.

8. That heavy oppressions and taxes (though for pretended publike necessities) continued for many years together, ought not onely to be eternally remitted, but restored, when collected, by all conscientious, pious, righteous, mercifull, Saintlike Kings, and Governours.

9. That illegall heavy Taxes imposed by, or for invading Usurpers, if once submitted to, and not strongly opposed by the generality of the people, will soon be claymed, & leavied as a customary, early legall revenue; both by the imposers, and their successors, and hardly be laid down and discontinued again for the peoples ease.

10. That this tax of *Danegeld* amounting but to thirty eight or forty thousand pounds in one whole year, was in truth, an heavy, and intolerable burden, and grievous oppression to the whole Nation, fit to be abolished, and released especially in times of dearth and scarcity; Therefore certainly our late illegal taxes, without authority of a free and legall Parliament, amounting to 120. 90. or 60. 1000 li. monthly, when lowest; besides Excises, Customes, Imposts, amounting to twice as much more, must certainly be far more grievous & intollerable to the Nation, and so not onely to be remitted, abandoned, excluded, but accounted for, and restored to our exhausted, oppressed Nation, by all those Governours, who pretend themselves saints
of

of the highest forme, and men ruling in the fear of God; against whom this *St. Edward the Confessor*, will rise up in judgement, if they imitate not his just and Saintlike president therein. All which considerations I recommend, to their own, and their Collecters, Excisers sadest considerations to meditate seriously upon for the peoples ease.

(x) *William of Malmshurys* records of this King *Edward*, that he was in *exactionibus vectigalium parcus, quippe qui & exactores excretaur*. Till we may be able really to record the like of our new Governours, and Princes over us, we shall never be either a free, a peaceable, or happy people, nor they worthy of the name of Saints or Confessors in any English Annals, or Kalenders. (m) He addes, That King Edward with the touch of his hand, did miraculously cure sundry persons of the luxuriant humours and swellings about the neck, (commonly called the Kings Evill) which cure in after ages some falsely ascribed, non ex sanctitate, sed ex regali prolapia hereditate florisse, not to have issued from his sanctitie, but from his hereditary royall blood. If his sanctity in releasing. and restoring the formentioned insupportable Tributes of *Danegeld*, shall now cure the hereditary Kings, and our new Republicques long continued evill, and malady of intolerable Tributes, Contributions, and Excises in this Age, we shall register it to posterity for as great a miracle, as his first care of the evill Kings only, by his touching of it with his royall sacred hand.

(n) King Edward about the year 1047. calling out of Normandy, certain Normans, qui olim pauculis beneficiis inopiam Exulis suppleverant, who had there received, and supplied his want, during his exile, to reward them for their benefits, advanced them to places of extraordinary honour and trust about him; amongst others, he promoted Robert Gemeticensis monk to the Bishoprick of London, & then to the Arch-

(x) *De gestis Regum l. 2. p. 13. p. 91.*

(m) See Ailredus Abbas de vita & miraculis Edwardi Confessoris c. l. 390.

(n) *Malmshurys de Gestis Regum Anglie l. 2. c. 13. John Bromton Cronicon vol. 932. Ingulphus Historia p. 895.*

bishoprick of Canterbury, *William* to be his Chaplain first, and afterwards Bishop of London, and another to the Bishoprick of Dorchester, which *Jugulphus* thus expresseth. *Rex autem Edwardus natus in Anglia, sed Nutritus in Normania, & diutissime immoratus penè in Gallicum transierat; adducens & attrahens de Normania plurimos, quos variis dignitatibus promotos in immensum exaltabat. Præcipuum inter eos erat, Robertus Monachus &c. Caput ergò totâ terrâ sub rege & sub aliis Normannis introductis, Anglicos ritus diminui, & Francorum mores in multis imitari: Gallicum idioma omnes Magnates in suis curiis tanquam magnum gentilitium loqui; Chartas & Chyrographa sua more Francium confici, & propriam consuetudinem in his, & in aliis multis erubescere.* Thereupon Earle Godwin and his Sons being men of high spirits, & auctores, & tutores regni Edvardi, were very angry, and discontented, *quod novos homines & aduenas sibi præferri viderent*, because they saw these new upstarts and strangers preferred before them; yet they never uttered a high word against the King, whom they had once advanced. Upon this occasion, Anno 1051. there arose great discords between the English, and these Normans, *quod Angli aspernantur ferant superiorem, Normani nequeant pati parem.* Henry Huntingdon records: That these Normans accused Godwin, and Swaine and Harold his Sonnes to the King, that they went about to betray him; wherupon the King calling them into question for it, they refused to appear without hostages for their safety, upon which the King banished them. But *William of Malmesbury, Roger de Hoveden, Matthew Westminster, Florentius Wigorniensis, Simeon Durelensis, Bromton, Hygden, Henry de Knighton, Fabyram, Grafton, Holmshead, Speed,* and the (o) General Stream of our Historians, relating the businesse more fully, make this the originall cause of the difference between them, and of the Exile of Godwin and his Sons.

* *Histor. l. 6. p. 366.*

(o) See Fox Acts and Monuments. vol. 1. p. 212. 213. Speed History p. 411. 412. Daniels History p. 22.

Eustace

Eustace Earle of Boloyne, who had wedded King Edwards Sister ariving at Dover in the moneth of September, 1051. one of his Knights seeking lodging, unjustly slew one of the Townsmen, whereupon the Townsmen slew him. The Earle and his followers being enraged thereat, slew divers men and women of the Town, and trode their children under their own, & horses feet. The Burgeses upon this assembling together to resist them, after a fierce Encounter, put the Earle and his followers to flight, slew eighteen or twenty of them in the pursute, and wounded many more; so that the Earle escaped only with one of his followers to the King, then at Gloucester; where he grievously incensed the King against the Englishmen, by reason of this tumult, which he and his followers occasioned. Whereupon Earle Godwin being much incensed at the slaughter of his men, in the Burrowgh of Dover, he and his sons assembled a great Armie out of all the Towns and Countries subject to them. The King sending for Godwin to the Court, charged him with his Host, to avenge the wrong done to Eustace, and to punish the insolency of the men of Dover, which the King exceedingly aggravated. But Godwin, a man of sharp wit, and wel understanding, that sentence ought not to be pronounced upon the hearing of the allegations of one part only without hearing the other, refused to march with his Army against the Burgeses of Dover, although the King commanded him; both because he envied, that all Aliens should find such extraordinary favour with the King, and because he would shew friendship to his own Countrey men. Whereupon he answered, It were reasonable and just, that before any execution done, the Wardens of Dover Castle, should be summoned into the Kings Court, in a fair manner, to answer this tumult; and if they could excuse themselves, that then they should be dismissed without harms; or if not, that then they should satisfy the King, whose peace they had broken, and the Earl whom

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whom they had offended, with money, or the forfeiture of their bodies and goods. *Iniquum videri, ut quos tutari debeas, eos ipso potissimum inauditos ad iudices.* And so Godwin departed at that time, little regarding the Kings fury, as being but momentary. *Quocirca, Totius regni Procures iussu Glocestriam convenire ut ibi magno conventu res ventilaretur.* Therefore all the Lords of the land were commanded to assemble together at Gloucester, that this matter might be there debated in a great Parliamentary assembly. Thither came the most famous Earle Syward of Northumberland, and Leofric Earle of Mercia, *Omni- bus Anglorum Nobiles,* and all the English Nobility at that time; only Godwin and his Sonnes, who knew themselves suspected, thought it not safe for them to come thither without an armed Guard: whereupon they encamped at Breverstone with a great host, and there stayed; giving out a report among the people, that they had therefore gathered an Army together out of Kent, Surry, Yorkshire, Oxfordshire, Gloucestershire, Somersetshire, Herefordshire, Essex, Nottinghamshire and other parts, that they might curbe the Welshmen, who meditating Tyranny, and Rebellion against the King, had fortified a Town in Herefordshire, where Swane, one of the Earl Godwins Sonnes then pretended to keep watch and ward against them. The King hearing that Godwin and his Sonnes had raised a great Army of men out of all these Counties upon this false pretext, presently sent Messengers to Syward, Earle of Northumberland, and Leofric, Earle of Mercia, to hasten to him, being in great danger, with all the forces they could raise. Who repairing to him at the first with small forces, so soon as they knew how the matter went, sending their Officers through their Countries, together with Earle Ralph in his Countrey, speedily assembled a great Army, to assist the King, ready to encounter these enemies, if there were a necessity. In the mean time

time Godwin marching with his Army into Gloucestershire, sent messengers to the King (as Matthew Westminster, and some others story) commanding him to deliver up Earle Eustace, with his companions, & the Normans & Bonomans, who then held the Castles of Dover, to him, else he should denounce war against him. To whom the King, being sufficiently furnished with military forces, sent this answer, That he would not deliver up Earle Eustace, to him; commanding moreover; *Ut qui exercitum contra ipsum collegerat, & sine ejus licentia pacem regni perturbabatur, veniret ad eum die statuta, super hac injuria sibi responsurus, & juri pariturus;* Godwin and his Sonnes being accused of A CONSPIRACY against the King, and made odious to the whole Court by the Welshmen and Normans; so that a rumor was spread abroad, that the Kings Army would assault them in the same place, where they quartered, and were unanimously resolved, and ready to fight with Godwins Army, (being much incensed against him,) if the King would have permitted them. *Quo accepto Godwinus ad Conjuratos classicum cecinit, Ut ultro Domino regi non resisterent; sed si conuenti fuissent, quin se ulciscerentur loco non cederent, & profecto facinus miserabile, & plus quam civile bellum fuisset, nisi maturiora consilia interessent,* writes Malmesbury; But because the best and greatest men of all England, were engaged on the one side and other, it seemed a great unadvisednesse to Earle Leofric and others, that they should fight a battle, and wage war with their own Countrymen: and thereupon they advised, That hostages being given on both sides, the King and Godwin should meet at London on a certain day, to plead together; which Counsel being approved of, and messengers running to and fro between them, hostages being given and received; and some small agreement made between them at the present; thereupon the Earle returned into West-Sax, and the

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King increasing his Army, both out of *Mercia* and *Northumberland*, returned with them to *London*, by agreement between both parties. *Iterumq; preceptum ut Londini Concilium coageretur*: and it was again commanded by the King, that *A COUNCEL* or *PARLIAMENT*, as *Trevisa*, *Speed* and others render it, should be assembled at *London*. *Swane* the Son of *Godwin* was commanded to mitigate the Kings anger by his flight; *Godwin* and *Harold* were ordered to come to this Council, with twelve men only in their company; and that they should resigne up to the King, the services of all the Knights and Souldiers which they had thoroughout *England*. But *Godwin* and his Sonnes, as they durst not wage war against the King: so, *ad Curiam ejus venire juri parituri negabant*, They would not come to his Court, to put themselves upon a legal tryall; alleadging, That they would not goe to a Conventicle of factious persons, without pledges and hostages; that they would obey their Lord in the surrender of all their Knights services, and in all things else, without the perill of their honour and safety. That if they came thither unarmed, they might fear the losse of life; if with a few followers, it would be a reproach to their honour. But the King being so resolute in his minde, that he would not recede from what he had resolved by, their intreaties, upon their refusal to come unto his Court to justify themselves, *Ver in suo Concilio communi Curia sue judicio*, by the common judgement of his Court, in this Parliamentary Council, *Et omnis exercitus unanimi consensu*, and by the unanimous consent of his whole Army (as *Florence* of *Worcester*, and his followers subjoyne) banished *Godwin* himself and his five Sons out of *England*: whereupon prolatum Edictum est. A Decree & Proclamation was then published, that within five dayes they should depart out of *England*. *Godwin* perceving that his souldiers deserted him some & some for fear of the Kings Army and displeasure, thereupon

on

on he and his wife *Giva*, and his three sonnes, *Swane*, *Gurth* and *Tosti*, with his wife *Iudith* daughter to the Earle of *Flanders*, departed presently out of *England*, by the Isle of *Thanet*, into *Flanders* to Earle *Baldwin*, with much treasure; but his other two sonnes, *Harold* and *Leofric* sailed by *Bristol* into *Ireland*. Moreover the King put away his Queen *Editha* for her Father *Godwins* sake, thrust her into the Abbie of *Wormel* (or *Redwel*) without worship, with one maid only to attend her, committing her to the custody of the *Abbes*, his own sister, taking away all her substance, without leaving her so much as one penny, *ne scilicet omnibus suis parentibus patriam suspirantibus, sola sterteret in pluma*, *Harolds* Earldom, and County was bestowed on *Algarus* who ruled it nobly, and he with good will resigned it up to *Harold* upon his returne.

These things being done, *William Duke of Normandy* came to visit the King with a great multitude of *Normans* and Souldiers, whom King *Edward* honorably received, and magnificently entertained for a season, carrying him about to all his royal Castles and Cities, and at last sent back into *Normandy*, with many and great presents bestowed on him and his followers, *De successione, autem Regni spes adhuc aut mentio nulla facta inter eos fuit* writes, *(r) Ingulphus.*

King *Edward* (In *Parlamento Pleno*, having in *Plain* or full *Parliament*, as *Radulphus Cestrensis* *Knigh-ton de eventibus Anglia. l. i. c. 10.* *Trevisa* and others relate, thus banished and outlawed *Godwin* and his sons in which in condition (as some write) they continued two full years. Thereupon in the year 1052. *Harold* and *Leofric* by way of reveng, coming out of *Ireland* with such ships and forces as they could there raise, pillaged the western parts of *England*, infesting the shores with continual robberies, carrying away rich booties, and slaying such as resisted them. Then marching from *Severn* into the confines of *Som-*

(q) *Malmsturi. de Gestis Reg. num. l. 2. c. 13. p. 82.*

(r) *Histor. p. 898.*

(s) *Florent. Wigorniensis Sim Dunelmensis, Polichronicon, Brompton Hoveden, Huntindon, Rad. de Diceto, Malmbsury, Her. de Knigh-ton Westminster, Caxton Fabian, Graston, Holinshead, Speed, Daniel, Fox, Eadiner Hist. Nov. l. i. p. 4.*

setshire and Dorsetshire, they plundered many Towns and Villages in those parts: against whom a great multitude assembled out of these two Counties making head, were incountred and routed by *Harold*, many of their chief Officers and others being slain. After which they returning to their ships with great booties, sailed round about by the shore to *Plimouth*. Upon this, King *Edward* speedily sent forth forty ships well victualed, and furnished with choice Souldiers, commanding them to watch for, and resist the coming and landing of Earle *Godwin*, who without their privity coming with a few ships undiscerned out of *Flanders*, practised piracy and pillaged the sea-coasts of *Kent* and *Sussex*, and at last came to the Isle of *Wight*, where his two sonnes, *Harold* and *Leofric*, joyning their ships and Forces with his, they studiously plotted how they might aveng themselves upon King *Edward* by sea, *Griffin* King of *Wales* in the mean time (by their instigation) depopulating *Herefordshire* by land, & slaying many of the Countrey people, who resisted him. On the Kings part there were about sixty ships assembled together to oppose *Harold*, riding at anchor; the Admirals of which Navy were the Earls, *Odo* and *Ralph*, the Kings kinsmen: neither was the King himself sloathfull in this necessity, lying all night on shipboard, and diligently observing the excursions of these Pyrates, executing that by sage counsel, which by reason of age he could not act with his hand. When both Navies were drawn near together, and ready to grapple with and encounter each other, a thick fogge and cloud sodainly arising, blinded the eyes of these furious persons, and restrained the wretched audacity of these mortals, so that they could not encounter each other, *Godwin* with his companions being forced by the winds to returne from whence they came. After which *Godwin* and his sonnes by secret messengers

gers, drew unto their party an innumerable company of the inhabitants of *Kent, Essex, Suffex, and Surry*, and all the Mariners of *Hastings*, with many Souldiers, and having drawn together a very great Army out of those parts, who all promised with one voice, *To live and dye with Godwin* : forbearing all plunder, and depopulation, after they met together, taking only victuals for their Army when occasion and necessity required, and alluring all they could to their party, they marched with their forces first to *Sandwich*. Which the King hearing of, being then at *London*, speedily sent messengers to all who had not revolted from him, *to come with all speed to his assistance*; who delaying overlong, came not at the time appointed. In the mean while Godwin comes up the *Thames* with his Navy and Army toward *London*, and pitched his Tents in *Southmark*, near the City. King *Edward*, who was then at *London*, had assembled a great company of armed men together, and no small Navy, to pursue Godwin and his sonnes, both by Sea and Land. But because very few with the King or Godwin had courage to fight with each other, and the English, whose sonnes, Nephews, Kinsmen and Friends were with Godwin and *Harold*, refused to fight against their own parents & kinred of the Kings party, thereupon some wise men on both parts, diligently endeavored to make a firme peace and reconciliation between the King and Godwin, and commanded the Armies and Navies to forbear fighting. Godwin being aged, and potent both with his favour and tongue to bow the mindes of his auditors, very well purged himself from all the things objected against him. The next morning *Rex habens cum Primariis suis Concilio*, the King taking Counsel with his Nobles, restored Godwin, and all his sonnes, (except *Swane*, who went on Pilgrimage barefoot to *Jerusalem*, to expiate the murder of *Beorne*.) together with the Queen, his daughter.

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daughter to their former honours; Godwin giving his Sonne *Wolnoth*, and *Hake* the Son of *Sware*, his hostages to the King, for his keeping of the peace and future loyalty to him; whom the King immediately lent into *Normandy* to be kept there. A concord and peace being thus made and ratified, the King and Nobles *omni populo bonas Leges & rectam iustitiam promiserunt*, promised good Laws, and right Justice to all the people; then they banished *Robert* arch-bishop of *Canterbury*, *William* Bishop of *London*, *Ulf* Bishop of *Dorchester*, and all the other *Normans*, who incensed and gave the King evill counsel against Earle *Godwin*, and the English, and had invented unjust laws, and pronounced unjust judgements against them, permitting only some few *Normans* (nominated in our Historians) whom the King loved more than the rest, and who had been faithfull to him, and all the people, to remain in *England*. Not long after, *William* Bishop of *London* was for his goodnesse recalled and restored to his Bishoprick, but *Stigand* was made Archbishop of *Canterbury*, in the place of *Robert*, and *Osburne*, and *Hugh* two *Normans* by birth, leaving their Castles here, went to the King of *Scots*, who entertained them, and so the land was freed from these forreign incendiaries. *Normannos omnes ignominia notatos prolata Sententia in Robertum Archiepiscopusque complices quod statum regni confurbarant, animum Regis in provinciales agitantes*: Upon this sentence denounced, *Robert* and others of them presently fled the Realme of their own accord, without expecting any actual violence to banish and expell them.

From all these memorable Historical passages, as we may observe the great unconstancy, vicissitude and changes of earthly Princes favours, worldly honours, preferments, and popular favour; with the great inconveniencies of admitting or advancing forreigners to any places of trust or power under the King or Court;
so

so we may likewise conclude that by the Law of that Age.

1. That no English man ought to be condemned, executed, imprisoned or put to death upon any great mans bare suggestion, no not by the Kings own speciall command (which if given ought to be disobeyed in such cases) but only by, and after a Legall hearing, tryall and conviction of the offence.

2. That the Kings of *England* were then sworn and obliged, to govern their people by good, just, and wholesome Laws, and Customes, not by their arbitrary pleasures, powers, or commands.

3. That the Parliamentary Councils and Nobles in that age, were very carefull to defend and maintain the Liberties, Rights, good Laws and Customs of the people, and to prevent, and abolish all unjust Laws and Encroachments repugnant to them.

4. That Parliamentary Councils were then frequently summoned by the King upon all publique emergent occasions, and differences, and to make war and peace, either at home, or in forreign parts.

5. That the Parliamentary Councils of that time consisted of the Earles, Barons, Nobles and Prelates of the Realme, duly summoned to them; without any mention of Knights or Burgeses, elected and sent to them by the people, of which there are no presidents in this Kings reign. Enough to prove *Modus Tenendis Parliamentum* (supposed to be made and observed in this age) a meere cheating imposture of later daies, as in truth it is.

6. That all delinquents, of what quality soever, justly or unjustly accused, ought to appear and justify themselves before the King and his Nobles in their Parliamentary Councils, without armed Guards, forces, Tergiversation, or resistance, upon due summons to appear before them, by the Laws of that time.

7. That Kings and great mens coming to Parliamentary

mentary Councils with Armies, strong armed Guards, and holding them with power, or under Armies, is inconsistent with their Liberty & Priviledges, and are an occasion of civill wars, disturbances, much mischief to the Nation, as then they proved.

8. That English Peers then were and ought to be tried, banished, judged by their Peers, both in Parliamentary Councils and other Courts.

9. That no English Peer or Freeman could then be lawfully, and judically banished the Realme, but in and by sentence and judgement of a Parliamentary Council; for some contempt or offence demeriting such a punishment.

10. That Peers and great men obstinately refusing to submit themselves to the triall and judgement of Parliamentary Councils, or to appear in them, or the Kings Courts to justify themselves, without hostages first given for their securiy; may justly be sentenced and banished by our Parliaments, for such contempts, and affronts to justice.

11. That the subjects were bound to ayd and assist their Kings, as wel against Traitors, Rebels, Pyrates, as against forreign enemies, under our Saxon Kings.

12. That forreigners are usually the greatest occasioners, and fomenters of civil wars. That such Incendiaries, deserve justly to be banished the Nation: And that civill wars between King and subjects, English and English, and their shedding of one anothers blood in such wars, was then deemed most unnatural, odious, execrable; by all prudent means and counsels to be timely and carefully prevented: and not to be begun or undertaken, but by good advice and common consent in great Parliamentary Councils, upon weighty, urgent, inevitable necessities.

13. That the abolishing of ill, and enacting of good Laws, the removing of ill Counsellors and Instruments about Kings, ordering matters of war
and

and defence by Land and Sea, and settling of peace, were the antient proper works, businesses, employments of our Saxon Parliaments.

14. That the English Freemen have been always apt, forwards, cordially to joyn with such Nobles and Great men, who are most cordial and active to defend their just Liberties, Laws, Rights, against foreiners, and others who invade them.

Soon after the forementioned agreement between the King and Godwin [v] King Edward (according to [u] Polycbr. 11 I. c. 50. Fox Acts and Monuments, vol. 1. p. 244. Speeds History, p. 440, 441. Law, for all the people throughout the whole Realm, which were called King Edwards Laws, being so just and equal, and so securing the profit and wealth of all estates, that the people long after, (as Mr: Fox and others record) did rebel against their Lords and Rulers, to have the same Laws again, when suspended, or taken from them, or dis-used : and prescribed this Oath to [x] William the Conquerour himself, and every of our Kings since, to be solemnly taken at the time of his Coronation, for the further ratification, and better inviolable observation of these Laws, and perpetuating them to all posterity: [x] Florentius Wigornieus, Sim. Dunelm. Hoveden, Dan. Speed. p. 441.

[y] SIR, will you grant and keep, and by your Oath confirm to the people of England, the Laws and Customs granted to them by antient Kings of England, rightfull men, and devout towards God, namely the Laws and Customs, and Franchises granted to the Clergy, and to the People by the glorious King Edward, to your power? To which the King must answer, I will doe it, before he be anointed or crowned King. (y) See Totles Magna Charta, 1556, p. 164. 1 R. 2. rot. Parl. num. 44. My Sovereign Power of Parliaments, pars 1. p. 52, to 79. Exact. Collect. p. 290. 712, 713, 714. Hoveden, p. 607.

Now because these Laws of King Edward (made by his Witsmens Counsel and advice; as this Clause, * Sapientes ceperunt super hos habere consilium, et constituerunt, in the Chapter, De illis qui has Leges despexerunt, implyes) are so famous and fundamental,

most of our Common old Laws being founded on, or resulting from them, I shall give you this brief account of them, out of our Historians, as most pertinent to my subject matter, and usefull for those of my profession to be informed of (being generally not so well versed in Antiquity, History, and Records, as were to be wished, for the honour and lustre of their honourable publike calling,) pretermittig the grosse Forgery and Imposture of *Modus tenendi Parliamentum*, so much cryed up by * Sir Edward Cooke for its *Antiquity* and *Authority*, as made and observed in Edward the Confessors reign, when as it is a meer counterfeit Treatise, and *Spurious Antiquity*, scarce antienter than King Richard the 2. as I have proved in my *Levellers levelled*; and Mr. *Selden* manifests in his *Titles of honour* pars 2, p. 713, 738, to 745; yea its own mentioning the Bishop of *Carlisle* (which Bishoprick was not erected til the *year 1132, or 1134.) the Mayors of *London*, (which had no * Mayor til the year 1208) and of other Cities, with Knights and Burgessees usual wages, all instituted long after the Conquerours reign; the not mentioning of this *Modus* in any of our Records, Histories, or judicious Antiquaries, and its difference from all the Modes and Forms of Parliaments, and Great Councils, of that or later ages held in *England* or *Ireland*, with the many falshoods and absurdities in it, will sufficiently evidence it to every intelligent Person, to be a late *Bastard Treatise*, and no such Antient Record, as Sir Edward Cooke most confidently avers it, upon groundless Reasons, and bold, false averments, void of Truth. Which *Modus*, if really made and observed in his reign, and after ages, no doubt our Historians would have mentioned it, as well as his Laws, of which they give us this following account.

* *Epistle to his 9th. Report. I. Institutes, p. 69, 110. 2 Instit. p. 7, 8. 4. Instit. p. 2. 12. 340.*

* *Mat. Westm. and Mat. Paris An. 1122. Howden An. 113; p. 400.*

* *Graftons Catalogue of the Mayors of London.*

[y] *De Event. Angl. l. 1. c. 15.*

Proposit. 5, 6.

(y) *Henry de Knyghton* records; That King Edward after his Coronation, *Consilio Baronum, et ceterorum Regni, received, established, and confirmed the*

the good Laws, which for 68 years lay as it were asleep, among the sleepers, and buried in Oblivion. These Laws are called, the Laws of St. Edward, not because he had first invented them, but because they being as it were put under a Bushel, and laid in oblivion from the time of his Grandfather King Edgar, he put to his hand, first to find them out, and then to establish them. (2) *Wil. of Malmesbury* thus writes of these Laws: 'Omnes Leges ab antiquis Regibus, & maximè ab antecessore suo *Ethelredo*, latas sub interminatione Regiæ multæ perpetuis temporibus observari præcepit, in quarum custodia, etiam nunc tempore bonorum sub nomine Regis Edwardi Juratur, non quod ille statuerit, sed observaverit.' The Author of the antient Manuscript Chronicle of *Litchfield*, and (a) *Mr. Selden*, out of him, together with (b) *Roger Hoveden*, and (c) *Bishop Usher*, inform us concerning these Laws. 'Ex illo die magna autoritate veneratæ, et per universum regnum corroboratæ & consecratæ sunt præ cæteris regni legibus Leges Regis Edwardi; quæ quidem prius inventæ & constitutæ fuerunt tempore Regis *Edgari*, avi sui. Veruntatem post mortem ipsius Regis *Edgari*, usque ad Coronationem S. Regis *Edm.* quod continet annos 67 predictæ leges sopitæ sunt, et penitus prætermittæ. Sed postquam Rex *Edwardus* in regno fuit sublimatus, Consilio Baronum Angliæ, Legem 67 annis sopitam excitavit, excitatam reparavit, reparatam decoravit, decoratam confirmavit, & confirmata vocata est, *Lex sancti Regis Edwardi*, non quod prius ipse invenisset eam, sed cum prætermittæ fuisset, & oblivioni penitus dedita à morte avi sui Regis *Edgari*, qui prius Inventor ejus fuisse dicitur, usque ad sua tempora, videlicet 67 annis.' The Chronicle of *Bromton*, col. 956, 957. gives us this large account of these and our other ancient Laws. *This holy King Edward the Confessor*, Leges communes Angloꝝ genti tempore suo ordinavit, ordained common Laws in his time for the English Nation, because the Laws promulged in for-

[2] *De Gestis Reg. l. i. c. xi. p. 75. See Spelm. Concil. p. 569.*

[a] *Ad Eadmerum & Notam, & Spicelerium. p. 171.*

[b] *Annalium pars posterior, p. 608.*

[c] *De Brit. Ecclesiarum Primordiis, p. 720.*

mer times were over-partial: For Dunwallo Molmucius first of all set forth Laws in Britain, whose Laws were called Molmucine; sufficiently famous, until the times of King Edward; amongst which he ordained, That the Cities and Temples of the Gods, and the ways leading to them, and the Ploughs of Husbandmen, should enjoy the privilege of Sanctuary. After which Marcia Queen of the Britons, Wife of Guithelin (from whom the Provinces of the Mercians is thought to be denominated) published a Law full of discretion and justice, which is called Mercian Law: These two Laws the Historian Gildas translated out of the British into the Latine tongue; and so it was afterwards commonly called *Mercenelaga*, that is, The Law of the Mercians, by which Law 8 Counties were formerly judged, namely Gloucestershire, Worcestershire, Herefordshire, Shropshire, Cheshire, Staffordshire, Warwickshire, and Oxfordshire. After these there was superadded a Law, written in the Saxon or English tongue, by Ina King of West-Saxons, to which Alfred King of the West-Saxons afterwards superadded the Law, which was stiled *West-Saxenelega*, that is, the Law of the West-Saxons: By which Law in ancient times, the 9 Southern Counties, divided by the River of Thames from the rest of England, were judged; namely Kent, Sussex, Surrey, Berkshire, Wiltshire, Southampton, Somersetshire, Dorset and Devonshire. At length the Danes domineering in the Land, a third Law sprang up, which was called *Danelega*, that is, the Law of the Danes; by which Law heretofore the 15 Eastern and Northern Counties were judged, to wit, Middlesex, Suffolke, Northfolke, Hertfordshire, Cambridgeshire, Huntingdonshire, Lincolnshire, Nottinghamshire, Derbyshire, Northamptonshire, Leicestershire, Buckinghamshire, Bedfordshire, and Yorkshire, which County of York heretofore contained all Northumberland, from the water of Humber, to the River of Twede, which is the beginning of Scotland,

land, and is now divided into six Shires. Now out of the
 foresaid three Laws, Merche-nelega, West-Saxenelega,
 and Danelega, this King Edward set forth one com-
 mon Law, which even to this day is called the Law
 of Edward. The like is recorded by Hygden in his
 Polychronicon, l. 1. c. 50. Mr. John Fox in his Acts
 and Monuments, vol. 1. p. 213, 214. Samuel Daniel his
 Collection of the History of England, p. 22. John
 Speed his History of Great Britain, p. 410. Fabian, Hol-
 linshead, Caxton, Grafton, and others, almost in the self-
 same words. These Laws are no where extant in any
 Manuscripts, or printed Authors, as they were originally
 compiled and digested into one body by him and his
 Barons, but as they were presented upon Oath to, and
 confirmed by King William the Conqueror, in the 4th.
 year of his reign, of which (d) Ingulphus Abbot of [d] Historiæ,
 Croyland, in the close of his History (to which they p. 914.
 are (e) annexed in some Manuscripts) gives us this ac-
 count, flourishing in that age. 'Attuli eadem vice me- [e] Io. Sel-
 'cum de Londoniis in meum Monasterium, Leges æ deni ad Ead-
 'quissimi Regis Edwardi, quas Dominus meus inclý merum Notæ,
 'tus Rex Willielmus authenticas esse, et perpetuas per p. 171, 172.
 'totum Regnum Angliæ inviolabiliter tenendas sub
 'penis, gravissimis proclamarat, et suis Justici-
 'aribus commendarat, eodem idiomate quo editæ sunt;
 'ne per ignorantiam contingat, nos vel nostros aliquan-
 'do in nostrum grave periculum, contraire & offende-
 're ausu temerario, regiam majestatem, ne in ejus cen-
 'suras rigidissimas improvidum pedem ferre, contentas
 'sæpius in eisdem, hoc modo.

These Laws are partly Ecclesiastical, partly Civil, re-
 corded by Roger de Hoveden Annalium pars posterior,
 p. 611. to 631, by Mr. Lambard in his Archaion, Hen-
 ry de Knyghton de Eventibus Angliæ, l. 2. c. 4. Spel-
 manni Concili. p. 613. Mr. John Selden, ad Eadmerum
 & Notæ, & Spicilegium, p. 172. to 195. Mr. John Fox
 his Acts and Monuments, vol. 1. p. 214. wherein those

who please may peruse them.

[f] *Lex* 1, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 17, 19, 20, 27, 30, 31, 35, 37, 40, 41, 50, 53, 62, 64, 67, 70. in *Mr. Seld n.*
 [g] *Lex* 1, 2, 3, 6, 7. in *Hoveden and Spelman.*

In these Laws it is observable: 1. That all capital, corporal, pecuniary punishments, fines for criminal offences, and all reliefs, services, and duties to the King, are [f] reduced to a certainty, not left arbitrary to the King, his Iustices, or other Officers, for the Subjects greater liberty, ease and security. 2. [g] That they protect, preserve the Possessions, Privileges, Persons of the Church and Clergy from all Invasion, injury, violence, disturbance, and specially enact, That not only all Clerks and Clergy men, but all other persons shall enjoy the peace of God and the Church, free from all assaults, arrests, and other disturbances whatsoever, both on Lords-days, Solemn Festivals, and other times of public Church meetings, eundo, & subsistendo, & redeundo; both in going to, continuing at, and returning from the Church, and public duties of Gods worship; or to Synods, and Chapters, to which they are either summoned, or where they have any business requiring their personal presence (wherewith the Statute of 8 H. 6. c. 1. concurs, as to the later clause) Therefore all Quakers, Anabaptists, and others, who disturb, affront and revile, assault, or abuse our Ministers, or their people, (as many now doe) in going to, or returning from the Church, or whiles they continue in it, as well before or after, as during Divine Service, Sermons, or Sacraments there administred, may and ought by the Common Law of England, (confirmed both by Confessor and Conquerour in their Parliamentary Councils) to be duly punished, as Breakers of the Peace, by all our Kings, Iustices, and Ministers of public Iustice, being ratified by *Magna Charta*, c. 1. and the [h] *Coronation Oaths* of all our Kings, (which all our Judges, and Iustices are bound to observe;) To keep to God and holy Church, to the Clergy, and to the People Peace and Concord entirely, according to their power, (especially during the public worship of God in the Church, and

[h] *Totles Mag. Chart.*
 1 R. 2. rot. claus.
 m. 44. rot.
 Part. 1 H. 4. n.
 17. *Exalt. Col-*
lect. p. 712,
 713, 714.

in going to, tarrying at, and returning from the duties which they owe unto him, both as his Creatures and Servants) And to grant, keep, and confirm the Laws, Customs, and Franchises granted by the glorious King Edward. 3. That they [i] prescribe the due payment of Tithes to God and his Ministers, as well personal as prædial, under Ecclesiastical and temporal penalties, being granted and consented unto a Rege, et Baronibus et Populo. 4. That the (k) Causes and pleas of the Church ought first to be heard & ended in Courts and Councils before any other, *Iustitia enim est, ut Deus ubique præ cæteris honoretur.* 5. That they thus define Danegild: 'Danegaldi redditio propter Piratas primitus Statuta est. Patriam enim infestantes vastationi ejus, pro posse suo insistebant. Ad eorum quidem insolentiam reprimendam, Statutum est Danegaldum annuatim reddi, scilicet, duodecim denarios de unaquaque Hida totius Patriæ, ad conducendos eos qui Piratarum eruptioni Resistendo obstitarent. (To which Hoveden, Knyghton, Lambard, and others subjoyn.) De hoc quoque Danegaldo, omnis ecclesia libera est & quietæ, & omnis terra quæ in proprio dominico Ecclesiæ erat, ubicunque jacebat, nihil prorsus in tali redemptione persolvens, quia magis in Ecclesiæ confidebant orationibus, quam in armorum defensionibus, usque tempora Willielmi junioris, qui Ruffus vocabatur, donec eodem a Baronibus Angliæ auxilium requirente ad Normanniam requirendam & retinendam, de Roberto suo fratre cognomine Cortese Ierusalem proficiscente, Concessum est ei, non Rege sancitum, neque confirmatum, sed hac necessitatis causa, ex unaquaque hida sibi dari quatuor solidos Ecclesia non excepta. Dum vero collectio census fieret, proclamabat Ecclesia, suam reposcens libertatem, sed nil profecit.' By which it is apparent, 1. That this grievous Tax of Danegild, was first granted and appointed by a publike Law in a Parliamentary Coun-

Council, to hire men to resist the eruption of the Pyrates and Enemies. That it amounted but to 12 d. a year, upon every Ploughland. That the Church and Demefne Lands of the Church, where ever they lay, were exempted from it, till *William Rufus* his time; who first exacted it from the Clergy upon a pretended necessity, and railed it, from 12 d. to 4 s. a Ploughland, by grant of the Barons, without any Law to enact or confirm it, for fear of drawing it into consequence.

6ly, That these Laws thus describe the Duty and Office of a King; (m) *The King, because he is the Vicar of the highest King, is constituted for this end, that he may rule the earthly kingdom and the Lords people, and above all things, that he may reverence his holy Church, and defend it from injuries, pluck away evil doers from it, and utterly to destroy and disperse them; Which unless he shall doe, the name of a King agreeeth not unto him, the Prophet (Pope) John witnessing, Nomen Regis perdit, qui quod Regis est non faciat; he loseth the name of a King, who dischargeth not the duty of a King. Pepin and Charls his Son, being not yet Kings, but Princes under the French King, hearing this definitive Sentence, as well truly as prudently pronounced concerning the name of a King, by William the bastard King of England, foolishly writ to Pope John, demanding this question of him; Whether the Kings of France ought so to continue, being content only with the name of a King? Who answered; That it is convenient to call them Kings, who do watch over, defend, and govern the Church of God and his people, imitating King David the Psalmograph saying, He shall not dwell in my House which worketh pride, &c. (After which it followeth in (n) Mr. Fox, and some others, but not in Hoveden, and Knyghton.) Moreover, the King by his right and by his Office, ought to defend and conserve fully and wholly in all ampleness, without diminution, all the Lands, Honours, Dignities, Rights and Liberties of the Crown of his Kingdom. And further,*

(m) Cap. 15, &
17. in Hoveden,
Knyghton, Lam-
bard.

(n) AEs and
Monuments,
vol. 1. p. 214.

Proposit. 10.

further, to reduce into their pristine state, all such things as have been dispersed, wasted and lost, which appertain to his kingdom. Also the whole and universal Land, with all Islands about the same in Norway and Denmark, be appertaining to the Crown of his kingdom, and be of the appurtenances and dignity of the King, making one Monarchy, and one Kingdom; which sometimes was called the Kingdom of Britain, and now the Kingdom of England: such bounds and limits as is above said, be appointed and limited to the name of this kingdom. A King, above all things, ought to fear God, to love and observe his commandments, and cause them to be observed through his whole kingdom. He ought also to keep, cherish, maintain and govern the holy Church within his kingdom with all integrity and Liberty, according to the constitution of his ancestors and predecessors, and to defend the same against all Enemies, so that God above all things be honoured, and ever before his eyes. He ought also to set up *Propositi. 55. 6.* Good Laws and Customs, such as be wholesom and approved; Such as be otherwise, to repeal them, and thrust them out of his kingdom.

Item, he ought to doe Judgement and Justice in his kingdom, by the counsel of his Realm. All these things ought a King in his own person to do, taking his Oath upon the Evangelist, swearing in the presence of the whole State of the Realm (as well of the Temporality as of the Spirituality) before he be crowned of the Archbishops and Bishops. Three Servants the King ought to have under his feet as Vassals, Fleshly Lust, Avarice, and Greedy desire; Whom if he keep under as his Servants and Slaves, he shall reign well and honourably in his Kingdom. All things are to be done with good advisement and premeditation: and that properly belongeth to a King. For baseness bringeth all things to ruine, according to the saying of the Gospel: Every kingdom divided in it self shall be desolate, &c. (A clear evidence that our Saxon Kings had no arbitrary nor tyrannical power to

condemn, banish, imprison, oppress or Tax their Subjects in any kinde, against their Laws, Liberties, Properties.) And thus much touching King Edwards Laws, *Qui ob vita integritatem, Regnandi Justitiam & clementiam, Legumque sive a se latarum, sive ex veteribus sumptarum, & Equitatem, inter Sanctos relatus est,* as (o) Matthew Parker records of him.

(o) Antiqu. Eccl. Brit. p. 88.

In the year of Christ, 1053. as many, or 1054. as others compute it, that old perjured Traytor Earl Godwin, came to a most soddein, shamefull exemplary death by divine justice, which the (p) marginal Historians thus relate; and Abbot Ailred thus prefaceth. *Inferendum arbitror quomodo Godwinum proditorum suarum donatum stipendii, divini judicii ultrix ira consumpserit, detestandique facinoris quod in Regem fratremque; ejus commiserat, populo spectante, ipsamquam meruerat poenam exolverat.* This Godwin being the Kings Father-in-law, abusing his simplicity, multa in regno contra jus et fas pro potestate faciebat, did many things in the Realm, against Law and right, by his power; and often attempted to incline the Kings minde to his Injustice. At last his subtilty proceeded so farr, that by fraud, deceit and circumvention, he banished out of the land almost all the Kings kinred and friends, whom he had either brought with him, or called out of Normandy, as well Bishops as Clerks, and Laymen of other dignities: believing that all things would succeed according to his desires, if the King deprived of all his friends, should make use only of his Counsels. But Edward dissembling all things, in regard of time, place, and out of religion, addicted himself wholly to divine duties, sometimes predicting, That divine Justice would at some time or other revenge so great malice of the Earl, and telling Godwin himself so much. Whereupon on a certain day when the King was celebrating the Feast of Easter at Winchester (as most) or at Windsor, (as some.) or Hodium (as others) relate; which feast was famous among the people;

Anno 1053.

(p) Ailredus

Abbas, de Vita

& Mirac. Ed-

wardi Confesso-

ris, col. 394.

395. Malmsh.

de Gestis Reg.

Angl. l. 2. c. 13.

p. 81. Hen. Hun-

rindon, Hist. l. 6.

p. 366. Ingul-

phi Hist. p. 898.

Mat. Westm. An.

1054 p. 424.

Radulphus de

Diceto Abbrev.

Chron. col. 476.

chronicon 10.

Bromton, col.

944. Hen. de

Knyghton, de

Eventib. Angl.

l. 1. c. 11. Hyg-

den. Polychron.

l. 6. c. 25. Ead-

merus Hist. No-

worum, l. 1. p.

4. Fox Acts &

Monuments,

vol. 1. p. 213.

Proposit. 8.

ple; the King sitting at his royal Table at dinner, the Kings Cup-bearer (*Harold, Godwins own Son as some record*) bringing the Kings cup filled with Wine towards the Table, striking one of his feet very hard against a stumbling block on the pavement, fell almost to the ground, but his other foot going straight on recovered him again, and set him upright, so that he had no harm, nor shed any of the wine. Upon which many discoursing touching this event, and rejoycing *that one foot helped the other*, Earl Godwin (who customarily sate next to the King at Table, being his Father-in-law) laughing thereat, said by way of merriment; *Here a brother helped a brother, as some; or, So is a Brother helping to a Brother, and one assisting another in necessity*, as others report his words: To whom the King upon this occasion ironically answering, said; *Thus my Brother (Alfred) might have assisted me, had it not been for Godwins Treachery, who would not permit him.* Which Speech of the Kings Godwin taking over-grievously, was sore afraid, and with a very pale and sad countenance, replied; *I know O King, I know, it hath been often reported to thee, that I have sought to betray thee; and that thou O King dost as yet accuse and suspect me concerning the death of thy Brother Alfred; neither yet dost thou think that those are to be discredited, who call me either his or thy Traytor, or betrayer. But let thy God who is true and just, and knoweth all secrets, judge between us; and let him never suffer this piece of bread I now hold in my hand, to pass down my throat without choking me, if I be guilty of any Treason at all against thee, or had ever so much as a thought to betray thee; Or, if I be guilty of thy Brothers death; or if ever thy brother by me, or my counsel, was nearer to death, or remoter from life. And so may I safely swallow down this morsel of bread in my hand, as I am guiltlesse of these facts.* When he had thus spoken, the King blessed the piece of bread; whereupon Godwin putting it into his

mouth, swallowed it down to the midst of his throat, where it stuck so fast, that he could neither get it down nor cast it up by any means, till through the cooperation of divine vengeance, he was so choaked with it, that his breath was quite stopped, his eyes turned upside down, his arms grew stiff, being conscious to himself of what he thus abjured, and so he fell down dead under the Table : *Deus autem justus et verax audivit vocem Proditoris, et mox eodem pane strangulatus, mortem prægustavit aternam*; writes (q) Radulphus de

(q) Abbrev.
Chron. col. 476.

Diceto. The King seeing him pale and dead, and that divine judgement and vengeance had thus passed upon him, said to those who stood by, *Dragg out of this dog, this Traytor, and bury him in the high way, for he is unworthy of Christian burial.* Whereupon his Sonnes there present beholding this Spectacle, drew him from under the Table into a Bedchamber, *ubi debitum proditoris sortitus est finem*; and immediately after they buried him privily in the old Monastery at Winchester, without honour or solemnity. Abbot (r) Ingulphus thus briefly relates the story of this his death. *Anno Domini 1053. cum Godwinus Comes in mensa Regis de neco sui fratris impeteretur, illo post multa Sacramenta tandem per buccellam deglutiendam abjuravit, & buccella gustata continuo suffocatus interiit.*

(r) Historia, p.
389.

As this judgement of God upon Earl Godwin for murdering Prince Alfred right heir to the Crown, and the Normans who accompanied him, (17 years after the fact) was most exemplary : so Gods justice upon his posterity is remarkable, which (to omit their forementioned exiles troubles) are thus epitomized by

(s) De Gestis
Regum, l. 2. c. 13
p. 82, 83. See
Speeds History,
p. 418.

(s) Will. Malmib. Godwin in his younger years had the Sister of, *Cnut* for his wife, on whom he begat a Son; who having passed the first years of his childhood, whiles he was riding on a horse given to him by his Grandfather, in a proud childish bravado giving him the spur and reins, the horse carried him into the swift

stream

stream of the River of *Thames*, where he was drowned. His Mother also was slain with the stroke of a thunderbolt, receiving the punishment of her cruelty ; who was reported to buy whole droves of slaves, especially beautifull maides in *England*, and to send them into *Denmark*, that she might heap up riches by their deformed sale. After her death he married another wife, on whom he begot *Harold*, *Swane*, *Wulnoth*, *Tosti*, *Girih*, and *Leofwin*. *Harold*, after *Edward*, was King for some Moneths, and being conquered by *William* at *Hastings*, lost both his life and kingdom, with his two younger Brothers, (there slain in battel :) *Wulnoth* sent into *Normandy* by King *Edward*, because his father had given him for an hostage, was there detained a Prisoner without any release, during all King *Edwards* life, and being sent back into *England* in *Williams* reign, continued in bonds at *Salisbury* till his old age. *Swane* of a perverse wit, treacherous against his King, revolted oftentimes both from his Father and his Brother *Harold*, and becoming a Pyrate, polluted the virtues of his ancestors with his maritime Robberies and murder. At last going barefoot to *Jerusalem* in pilgrimage, (out of conscience, to expiate the wilfull murder of his Cousen *Brenno*, and as some say his Brother) in his return thence, he was circumvented and slain by the *Saracens*. *Tosti* being advanced by King *Edward* to the Earldom of *Northumberland* after the death of Earl *Syward*, ruled the County near two years, which being expired, he stirred up the *Northumbrians* to a Rebellion with the asperity of his manners : for finding him solitary, they chased him out of the Country, not thinking fit to slay him, by reason of his Dukedom ; but they beheaded all his men both English and Danes, and spoiled him of all his horses, arms and household-stuff ; whereupon being deprived of his Earldom, he went with his wife and children into *Flanders*, and at last invading *Northumberland*, and joyning with the *Danes* against his own brother

ther King *Harold*, was there slain by him in battel, (with all his forces ;) His daughter *Queen Egitha*, (besides her forementioned repudiation by King *Edward*,) and the imprisonment and disgraces put upon her by him for her Fathers sake, was never carnally known by him as his wife, out of a detestation to her Father *Godwin*, because he would not ingender heirs to succeed him in the royal Throne, out of the Race and seed of such a Traytor, as many *Historians* assert : Even so let all other such like perfidious Traytors & their Posterities perish, who imitate him, and them in their Treasons, Perjuries, Rebellions, and will not be warned nor reclaimed by his, or their sad examples.

Anno 1053.
(o) *Mat. West-*
minster, Wigorn.
Sim. Dunelm.
Hoveden,
Bromton, Anno
1053. Fabian,
Holinshed, and
others.

Anno 1054.
(p) *Marianus*
Scotus, Wigorn.
Mat. Westminst.
Sim. Dunelm.
Huntindon,
Hoveden,
Knyghton,
Bromton, Ra-
dulphus de Di-
ceto, col. 478.
Walsingham,
Hist. Angl. p.
17. 51.

The same year Earl *Godwin* thus perished, (o) *Rbeese* brother of *Griffin* King of *Southwales*, was slain by King *Edwards* command, and his head brought to *Glocester* to the King on the Vigil of Epiphany, for his manifold Treasons, rebellions, and frequent depredations upon his English Subjects.

King *Edward* Anno 1054. commanded (p) *Syward* the valiant Duke of *Northumberland*, to invade *Scotland* with an Army of horse and a strong Navy, to remove *Mackbeoth* K. of *Scots* (to whom he had formerly given the Realm of *Scotland* to hold it of him) and make *Malcolm* (the King of *Cumberlands* Son) King in his place ; Who thereupon entring *Scotland* with a puissant Army, fought a set battle with *Mackbeoth*, slew many thousands of the *Scots*, and all the *Normans* who went to him out of *England*, chased him out of *Scotland* (then totally wasted and subdued by *Syward*) and deprived him both of his Life and Realm. Which being effected, King *Edward* gave the Realm of *Scotland* to *Malcolm*, to be held from and under himself. Not long after Duke *Syward* being likely to die of a flux, when he saw death approaching, said; *What a shame is it, that I who could not die in so many battels and warrs, should be reserved to die with disgrace, like a Cow? Wherefore put upon me my impenetrable coat of mail, gird me with my sword, set my helmet upon my head, put my buck-*

ler in my left hand, and my gilt battel-ax in my right hand, that being the strongest of all Souldiers, I may die like a Souldier. Whereupon being thus armed as he commanded, he said; Thus it becomes a Souldier to die, and not lying down in his bed like an Ox; and so he most honourably gave up the Ghost. But because Walteof his Son was then but an infant; his Earldom was given by the King to Tofti, son of Earl Godwin, whose Earldom after Godwins sudden death, was bestowed on Harold, and Harold's Earldom given to Algarus Earl of Chester: Earldoms in that age being only for life, not hereditary.

In the year 1055. (9) King Edward, *Habito Londoniæ Concilio*, holding a Parliamentary Councill at London, banished Algarus, Son of Earl Leofric, quia *de Proditione Regis in Concilio convictus fuerat*, because he had been convicted in the Council of Treason against the King, as Henry Huntindon, Bromtons Chronicle, and Hygden record: Yet Florentius Wigorniensis, Simeon Dunelmensis, Hoveden, Henry de Knyghton, and others write, He was banished sine culpa, without any crime. Whereupon passing over into Ireland, he soon after repaired with 18. piratical Ships to Griffin King of Wales, requesting him to give him aid against King Edward. Who thereupon forthwith assembling a very great Army out of all his Realm, commanded Algarus, to meet him and his Army with all his forces at a certain place; where uniting their forces together, they entred into Herefordshire to spoil and depopulate it. Against whom timorous Earl Ralph, King Edwards Sisters Son, raising an Army, and meeting them two miles from the City of Hereford, commanded the English to fight on horseback contrary to their custom: But when they were about to joyn battel, the Earl with his French and Normans, fled away first of all; which the English perceiving, followed their Captain in flying; whom the Enemies pursuing, slew four or five hundred of them, and wounded many more; and having

Ann. 1055.

(9) Huntindon,

Hist. l. 6. p. 366.

Marianus Sco-

tus, Mat. West-

minster, VVi-

gorniensis, Sim.

Dunelm. and

Bromton, Ann.

1055. Hen. de

Knyghton, de

Event. Angl. l.

1. c. 11. Poly-

chron. l. 6. c. 26.

VWill. Malmsb.

De Gestis Reg.

l. 2. c. 13. In-

gulphi Hist. p.

898, Holinshed,

speed, and o-

thers.

Proposit. 2, 4, 5,

6, 9.

Proposit. 3.

ving gained the Victory, took the City of *Hereford*, slew some of the Citizens, carried away many of them captives, and having burnt and pillaged the City, returned enriched with great booties. The King being informed of it, commanded an Army to be presently assembled out of all England, which meeting together at *Gloucester*, he made valiant *Earl Harold* their General; who devoutly obeying his commands, diligently pursued *Griffin* and *Algarus*, and boldly entering into the coasts of *Wales*, encamped at *Straddle*. But they knowing him to be a valiant man, not daring to fight with him, fled into *South-wales*. Upon which, *Harold* leaving the greatest part of his Army there, commanded them manfully to resist the Enemies if there were cause, and returning with the rest of the multitude to *Hereford*, he environed it with a broad and deep trench, and fortified it with gates and barrs. At last Messengers passing between them and *Harold*, they made a firm Peace between them. Whereupon *Earl Algarus* his Navy returning to *Chester*, there exacted the wages he had promised them; but he repairing to the King, received his Earldom from him again. This same year

(r) *Malmsbury de Gestis Reg.*
l. 2. c. 13. See
Godwin in the
Life of Bishop
Herman.

(r) *Herman* Bishop of *Salisbury* requested of the King, and almost obtained leave to remove his See from *Ramesberg* to the Monastery of *Malmsbury*: sed *Rege juxta Consilium Proterum* id nolente, he thereupon resigned his Bishoprick, went beyond the Seas, and took upon him the habit of a Monk; but repenting of his rashness, he returned into *England*, three years after, and held the Bishopricks of *Salisbury* and *Sherborne* united together, till the 9th year of King *William the Conqueror*.

Anno 1057.

(s) *wigornien.*
is, Hoveden,
Hunimdon,
Sim. Dnnelm.

In the year 1057. (s) *Prince Edward*, son of *Edis*, *Hoveden*, *monk Ironside*, came out of *Hungary* (where he had long lived an Exile) into *England*, being sent for *Mar. westminster, Bromton, Hygden, Fabian, Holinshed, Fox Acts & Monuments*
Vol. 1. p. 213, Cambdens Britannia, p. 468.

thence

thence by his Uncle King *Edward*, who had decreed to make him heir to the Crown after himself; but he died at *London* soon after his return, leaving onely *Edgar Athelin* his son, very young, and two daughters *Margaret*, and *Christiana*, under the Kings custody and tuition. This same year, *Earl Leofric*, at the request of his devout Noble Countess *Godina*, freed the City of *Coventry* from a most grievous dishonest servitude, and heavy Tribute, wherewith he had formerly oppressed the Citizens, being very much offended with them; which (though frequently importuned by her) he would remit upon no other condition but this; That his Lady *Godina* should ride naked through the street of the City from the one end of the market to the other, when the people were there assembled; Which she, to obtain their Liberties from this Servitude and Tribute, performed, covering her self so with her long fair hair, that she was seen and discerned by no body. Wherenpon the Earl her husband by his Charter, exempted the Citizens of *Coventry* for ever from many payments, which he formerly imposed and exacted from them; the wisdom of which Earl much benefited the King and people whiles he lived.

Proposit. 1.

(t) *Algarus* his son succeeding him in the Earldom of *Mercia* in the year 1058. was banished the second time by King *Edward*; but by the assistance of *Griffin* King of *Wales*, and help of the *Norway* fleet, which beyond expectation came to assist him, he suddenly recovered his Earldom again by force, of which he conceived himself unjustly deprived against Law. *Griffin* King of *Wales* having (contrary to his former league and agreement) invaded, infested *England*, slain the Bishop of *Hereford*, burnt the City, harrowed the County, and twice assisted Earl *Algarus* against King *Edward*; thereupon Anno 1063. (u) Duke *Harold* by

Anno 1058.

(e) wigornien-
sis, Hoveden,
Sim. Dunelm.

Anno 1058.

Ingul. Historia
p. 898. Speed,
and others.

Proposit. 2.

Anno 1063.

[u] Mat westm.
Hoveden, wi-

gorn. Sim. Dunelm. Brom: on, An. 1063, 1064. Malmshur. de Gestis Reg. l. 2. c. 13. Hen. de Knyghton, de Event. Angl. l. 1. c. 14. Ingulph'i Hist. p. 899. Holinshed, Fa-
bian, Grafton, Speed.

Tt

King

King Edwards command marched hostilely into Wales, with his forces to infest Griffin: who having notice of his coming, took Ship, and hardly escaped his hands. Hereupon Harold raised a greater Army, and likewise provided Ships and furniture; after this his brother Tostig and he, joyning their forces together, by the Kings command, began to depopulate Wales, and invaded it both by Sea and Land: whereupon the Welshmen compelled by necessity, gave them Hostages, and promised, That they would thenceforth pay a Tribute to K. Edward, as their Sovereign, and banish their King Griffin: whom they expelled accordingly that year: and An. 1064 they cut off their King Griffins head, and sent it unto Harold, who presently transmitted it to K. Edward: whereupon the King made Griffins Brothers Blethagent and Redwallo, Kings over the Welshmen, to whom he gave that land, who sware Fealty to King Edward and Harold; *et ad imperium illorum mari terraque se fore paratos, ac omnia que prius de terra illa Regibus anterioribus fuerant pensa obedienter se pensuros responderunt*, as Wigorniensis, Hoveden, Simon Dunelmensis, and others record their Oath.

Anno 1065.

[2] Aluredus Abbas, de Vita & Mirac. Edwardi Confessoris, col. 394. Malmsbur. de Gest. Reg. 1.2. c. 13. Mat. west. Huniindon, Hoveden, wigorniensis, Sim. Dunelm. Rad. de Diceto, Bromton, Polychron. l. 6. c. 27, 28. Fox Acts and Monuments, vol. 1. p. 213.

The next year (x) Tostig Earl of Northumberland, moved with envy against his Brother Harold, in the Kings own presence at *Winfere*, took Harold by the hair as he was drinking wine to the King, and violently struck the Cup out of his hand, using him most dishonourably, all the Kings Household admiring at it. Upon which Harold provoked to revenge, taking Tostig between his arms, and lifting him up on high, threw and dashed him violently against the pavement: At which sight the Souldiers round about ran in on all sides, and parting the began fray perforce between these Brothers and stout Warriors, severed them one from the other. But the King upon this predicted, that the destruction of these two Brothers was now near at

Speeds History, p. 418. Daniel, 2. 24. Fabian, Caxton, Holinshed, Grafton.

hand

hand, and that their deadly feud was not long to be deferred. For all the sons of the Traytor Earl Godwin were so ungracious, covetous, oppressive, and so extremely unjust, that if they had seen any fair Manner or Mansion place, they would procure the owner thereof to be slain in the night, withall his posterity and kinred, that so they might get possession thereof for themselves. Who notwithstanding which their soft and honied speeches, (although they were but swords) did so circumvent the over-credulous simplicity of King Edward, that after many enormous wickednesses committed by them, he made them *Regni Iusticiarios, Regni Rectores & Dispositores*; both Justices, Rulers and Disposers of the kingdom; and likewise Generals and Admirals of his forces both by Land and Sea. The many acts of Injustice committed by the sway of power and passion by Earl Godwin and his sons proportionate greatness and the Kings weakness, did much blacken that bright time of Peace, and made a good man (not by acting, but enduring ill) held to be a bad King. Tost after this contest and quarrel with his brother Harold, departing in a rage from the Kings Court, and coming to the City of Hereford, where his Brother Harold had provided a great intertainment for the King, flew and cut all his Servants in piecer, and put either a legg, arm, or some other member of their bodies thus mangled, into every vessel of wine, meade, bear, and other sorts of liquors he there found, wherein they lay steeping, stopping up the Vessels again: Which done, he sent word to the King, that when he came to his Farm at Hereford, he should find his flesh well powdered, and that he would provide him sweetmeats. The King being informed of this his barbarous villany and scoff, commanded that he should be banished for this detestable wickedness, which he abhorred. Soon after Tost departing into Northumberland, about the 5. of October, divers Gentlemen and others of that

Proposit. 1, 2.

Country assembling together, came with about 200 armed men to *Tork*, where *Tosti* then resided, both to revenge the execrable murder of some Noble *Northumberlanders*, servants to *Gospatric*, whom Queen *Egitha*, in the cause of her brother *Tosti*, had commanded treacherously to be slain on the 4th day of the precedent Christmas, and of *Gamel* the son of *Orne*, and *Ulfe* son of *Delfin*, whom *Tosti* the year before had commanded to be treacherously murdered in his chamber at *Tork*, under pretext of making a Peace with them; necnon pro inmanitate Tributi quod de tota Northumbria injuste acceperat; as also for the excessiveness of the Tribute which he had unjustly received out of all *Northumberland*, without their common consent and grant. These chasing the Earl himself out of the Country (*pro contuitu Ducatus occidendum non rati*) slew and cut off the heads of all his Servants, and Courtiers, as well English as Danes, being above 200. on the North part of the river of *Humber*; then breaking up his Treasury, they took away all his Treasures, Horses, Armes, household-stuff, and all things that were his. The rumor whereof being brought to the King, and the Country in an uproar, almost all the *Northumberlanders* met together, and elected, constituted *Morchar*, Earl *Algarus*, son for their Earl in the place of *Tosti*; who marched with them into *Lincolnshire*, *Nottinghamshire*, and *Derbyshire*, wasted and pillaged those Counties, slew many of the Inhabitants, and carryed many thousands of them away captive, leaving those Counties much impoverished many years after. Hereupon *Harold* was sent against them to revenge those injuries, to prevent further mischiefs, and to mediate a reconciliation between them and *Tosti*. Upon this the *Northumberlanders* met *Harold*, first at *Northampton*, and afterwards at *Oxford*, and although they were more in number than he, yet being desirous of quietness and peace, they excused the fact unto him, saying: *Se*

bomines

homines liberè natos, liberè educatos; nullius Ducis ferociam pati posse: A majoribus didicisse; aut Libertatem, aut Mortem, &c. That they being men freely born, freely educated, could not suffer the cruelty of any Duke. That they had learned of their ancestors, either to enjoy Liberty, or death. Therefore if the King would have them his Subjects, he must set another Earl over them; even Morchar, who had had experience how sweetly they knew to obey, if they were sweetly handled. But all of them unanimously refused any reconciliation at all with Tosti, whom they Outlawed, together with all those who had incited him to make an unjust Law, and impose an illegal Tribute upon them. Harold hearing these things, and minding more the Peace of the Country, than his brothers profit, recalled his Army; and the King having heard their answer, confirmed Morchar for their Duke. Tosti hateful to all men, by the assistance of Earl Edwin, was expelled out of England by the Northumberlanders, and driven with his wife and children into Flanders, whence returning about two years after, and joyning with the Danes, he entred with the Danes into Northumberland, miserably harrowed the whole Country, slaughtered the inhabitants; and at last was there slain with most of his Souldiers by his own brother King Harold, Anno 1066.

Propos. 1, 2, 3

King Edward, (as Abbot [r] Ingulphus living in that age, records,) Anno 1065. being burdened with old age, perceiving Prince Edgar Atheling (his Cousen Edwards son, lately dead) to be unfit for the royal throne, *tam corde, quam corpore*, as well in respect of minde as body, and that Earl Godwins many and wicked progeny did daily increase upon the earth, set his mind upon his Cousen William Duke of Normandy, *et eum sibi succedere in Regnum Angliæ voce stabili sancivit*; and decreed, by a stable vote, that he should succeed him in the Realm of England: For Duke William was then

[r] Historia, p. 899, 900, 911.

superiour in every battel, and a triumpher against the King of France; and his fame was publickly blazed abroad amongst all the Earls of Normandy who were next him, being invincible in the exercise of Arms, *Judex justissimus in causarum iudicio*, a most just Judge in the judging of causes, and most religious and most devout in the service of God. Hereupon King Edward sent Robert Archbishop of Canterbury to him, as his Legate a Latere, or special Embassador, *illumque designatum sui regni Successorem tam debito cognationis, quam merito virtutis sue Archiprasulis relatu insinnavit*; and intimated unto him by the relation of his Archbishop, that he had designed him to be the Successor of his Realm, as well by the debt of kinred, as by the merit of Virtue. Moreover Harold, the Major of the Kings Court, comming into Normandy, not only swore, that he would conserve the Kingdom of England for Duke William after the Kings death; but likewise promised upon Oath, that he would take the daughter of Duke William for his wife; and upon these promises returned home magnificently rewarded: After which he subjoins, *Edwardi piissimi Regis, cujus cognatione et consanguinitate inclitus Rex noster Willelmus fundat conscientiam suam regnum Angliæ invadendi, ceteris Regibus de Danorum sanguine, quasi nullius auctoritatis ad allegandum, interim intermissis.*

[f] De Gestis
Regum, l. 2. c. 13
p. 93.

(f) William of Malmesbury (who flourished in or near that very age) thus seconds him. After the death of Edward, his son Edgar was, *Neque promptus mœni, neque probus ingenio. Rex itaque defuncto cognato, quia spes prioris erat soluta suffragii, Willelmo comiti Porro-mannicæ successionem Angliæ dedit. Erat ille hoc munere dignus, præstans animi juvenis, & qui in supremum fastigium alacri labore excreverat. Præterea proxime consanguineus, filius Roberti, filius Richardi secundi, quem fratrem fuisse Emmæ matris Edwardi, non semel est quod diximus, Formæ quidam ipsum Haroldum a Re-*

ne in hoc Normanniam missum : alii secretioris consilii conscii invitum venti violentia illuc actum, quo se tueretur invenisse commentum ; quod, quia propius vero videtur, exponam. Harold coming to his farm at Boscam, going for his recreation into a fisher-boat, and putting forth into the Sea in sport, was by a sudden contrary storm arising, driven with his companions into the Village of Ponthieu in France, where he was stripped and bound hand and foot by the rude Country people, and carried Prisoner to Guido their Earl, who detained him in Prison to gain a ransom from him. Whereupon Harold being of a subtil wit, studying how to relieve himself, by large promises procured a Messenger to inform Duke William, that he was sent by the King into Normandy, that what lesser Messengers had but muttered (touching his Succession to the Crown of England) he might perform by his presence; especially that he was detained in bonds by Earl Guido, wherby he was hindered to deliver his message, notwithstanding his appeal to him, which was a great diminution to his honor : and if his captivity were to be redeemed with monie, he would willingly give it to him and not to Guido ; Upon which, he was by Duke Williams command released, brought by Guido into Normandy ; and there nobly feasted by the Duke : where by his valour and policy he gained great reputation with Duke William ; and that he might more indear himself in his favour, he there voluntarily of his own accord, confirmed to him the Castle of Dover, which belonged to him of right, and the Kingdoms of England after King Edwards decease : whereupon the Duke espoused him to his daughter (Adeliza) then a child, and bestowed her whole ample portion upon Harold, and then honourably dismissed him.

[1] *Matthew Westminster Anno 1057. relating this Story of Harolds driving into Ponthieu by storm against his will, as hapning in that year ; and that to ingratiate himself with Duke William : Post mortem Re-*

[1] *Flores Hist.*
p. 426.

gis Edwardi ei Regnum Anglia Sacramento firmavit : subjoyns thereto : *Tradunt autem aliter alii, quod videlicet Haroldus a Rege Edwardo fuerat ad hoc in Normanniam missus, ut Ducem Gulihelmum in Angliam conduceret, quem idem Rex Edwardus Heredem sibi constituere cogitavit.*

*Roger de Hoved. Annal. pars prior, p. 449. Radulph. de Diceto Abbr. Chron. col. 480, 481. Eadmerus Hist. Novorum, l. 1. p. 4, 5. Sim. Dunel. Hist. col. 195. Jo. Bromton in his Chronicle, col. 947. Hygden in his Polychron. l. 6. c. 27. with others, record the matter somewhat different from our other Historians. That Harold after his Fathers death craving leave of King Edward to goe into Normandy, to free and bring into England his Brother Wulnoth, & Nephew Hake, there detained Hostages; the King would not permit him to goe as sent by him, but yet left him free to do what he pleased of himself therein : Adding, *Presentio tamen te ad nihil aliud tendere, nisi in detrimentum totius Anglici regni, et opprobrium tui ; nec enim ita novi Comitem mentis expertem ut eos aliquatenus velit concedere tibi, si non prascierit in hoc magnum proficuum sui.* Harold notwithstanding taking ship to go into Normandy upon this occasion, was driven by storm into Ponthieu, and there imprisoned as aforesaid, and by Duke Williams means and threats, after two denials, released : who honourably entertaining him for some dayes, to advance his own designs by him ; at last opened his minde thus to him. *Dicebat itaque Regem Edwardum quando secum inveni olim juvenis in Normannia demoraretur, sibi interposita fide sua, pollicitum fuisse, quod si Rex Anglia foret, Jus regni in illum Jure Hereditario transferret ; & subdens ait ; tu quoque si mihi te in hoc ipso adminiculaturum sponderis, et insuper castellum Dofris, cum pargo aqua, ad opus meum te facturum, sororemque tuam, uni de Principibus meis dederis in uxorem, te ad me tempore, quo nobis conveniet, destinaturum, nec non filiam meam in conjugem**

jugem accepturum, promisoris; tunc et modo nepotem suum: et cum in Angliam venero regnaturus fratrem tuum incolumem recipies: in quo regno, si tuo favore confirmatus fuero, spondeo, quod omne quod à me rationabiliter tibi postulaveris obtinebis. Hereupon Harold perceiving danger on every side, and not knowing how to escape, unless he condescended to Williams will in all things, he thereupon consented to his requests. But he, that all things might be ratified, bringing forth the reliques of Saints, brought Harold to this, *That he should swear upon them, that he would actually perform all things which they had agreed between them.* These things thus done, Harold receiving his Nephew, returned into his Country, where he related to the King, upon his demand, what had happened, and what hee had done; Who said, *Did I not tell thee I knew William, and that many mischiefs might happen to this kingdom in thy journey; I foresee in this thy deed, that great calamities will come upon our Nation, which I beseech God of his infinite mercy to grant, that they may not happen in my dayes.* [u] Mr. Fox relating this story more briefly, concludes thus. *Whereby it may be gathered That King Edward was right willing that Duke William should reign after him; and also it seemeth not unlike, but that he had given him his promise thereunto before.* The same Hoveden, *Annalium pars posterior*, p. 608, 609, 610. reciting the Laws of King Edward confirmed by King William after he got the Crown; records these passages intermixed with them. That King Edward retained his Cosen Edwards son, Edgar, with him, and nourished him for his Son, and because he thought to make him his Heir, he named him *Adeling*, which we call a Little Lord. But King Edward so soon as he knew the wickednesse of his Nation, and especially the pride of the Sons of Godwin, of Harold, (who after invaded the Kingdom) *Estigurt, Lefwin*, and others of his Brothers; imagining that what he had purposed

[u] *As and Monuments, vol. 1. p. 213.*

concerning *Edgar*, could not possibly be stable; *Adoptabit Willielmum Duce[m] Normannoꝝ in regnum*: adopted *William Duke of Normandy* to succeed him in the Realm; *William*, I say, the bastard, the son of *Robert* his Uncle, a valiant, warlike, and stout man: Who afterwards by Gods assistance, by vanquishing the foresaid *Harold* son of *Godwin*, victoriously obtained the Realm of England. To which he subjoyns, That *Edward* wanting issue, sent *Robert* Archbishop of *Canterbury* to his Cosen *William Duke of Normandy*, & de Regno eum constituit *Hæredem*; and made him heir of the Kingdom: yea after him he sent Earl *Harold*; and He invaded the Realm; He further Records, That when King *William* would have altered the Laws of England presented to him upon Oath in the 4th year of his reign but in one point. *Universi compatriota, qui leges edixerant tristes effecti, &c. tandem eum persecuti sunt deprecantes, quatenus pro anima Regis Edwardi qui et post diem suum concesserat Coronam et Regnum, et cujus erant Leges*, that he would not alter the Laws herein, whereupon he consented to their request.

[3] *Ypodigma*
Neustria, p. 28.

[x] *Thomas of Walsingham* thus registers the fact. *Edwardus Rex Anglorum, prolis successione carens, olim miserat Duci Robertum Archiepiscopum Cantuar. statuens filium hæredem Regni a Deo sibi attributi. Sed et Haroldum ipse postmodum destinavit, qui fuit maximus Comitum regni sui in honore, dominatione et divitiis, ut ei de Corona sua fidelitatem faceret; ac Christiano more Sacramentis confirmaret; Qui dum ob hoc negotii venire contenderet, velificato freto, Porti Pontnium appulit, ubi in manus Widonis Abbatis vilæ S. Advile Comitum incidit, quem idem Comes captum, cum suis confestim in custodiam truxit. Quod ut Lux comperit missis Legatis violenter illum extorsit, quem aliquandiu secum moratū facto fidelitate de regno pluribus Sacramentis, cum muneribus multis Regi remisit. Denique Rex Edwardus, completo termino fœ-*
licis

licis vita, &c. migravit a seculo: Cujus regnum *Haroldus* continuo invasit, ex fidelitate perjuratus quam Duci Juraverat. Ad quem Legatos direxit protinus, hortans ut ab hac vesania resipisceret, fidem quam Juramento sponsoverat, cum digna subjectione servaret. Sed ille hoc non solum audire contempsit, verum omnem ab illo Anglorum gentem infideliter avertit, &c.

Chronicon Johannis Bromton, Col. 945. relates, That King Edward purposed to make Edgar (whom he had nourished as his Son) heir of England: Sed ut quidam aiunt, Rex gentis suae malitiam, et praecipue superbiam Haroldi, filii Godwini, et aliorum divina demonstratione praevidens, percepit, quod propositum suum, quoad ipsum Edgarum cognatum suum, de regno post eum obtinendo, minime potuit adimplere, unde Willielmo cognato suo Normannorum Duci, Regnum post eum optinendum per solennes nuncios assignavit. And Col. 957. he adds, Some say that King Edward before his death had appointed William to succeed him, according to the promise which the said King had made him when he was a young man living in Normandy, that he should succeed him in the Kingdom; concerning which, as some write, he had sent solemn Messengers to him into Normandy. The like is affirmed almost in the same words by Henry de Knighton de Eventibus Angliæ, l. 1. c. 15. col. 223 8. and by Fabian, Caxton, Cambden, Holinshed, Grafton, Speed, Daniel, Stow, Vestegan, and other modern Historians.

[y] Matthew Paris in the beginning of his History of England, p. 1. relates Harold's driving into Pountoise by storm, as he was taking his pleasure at Sea, his presenting to Duke William, his espousals to his daughter under age, which he ratified by Oath taken upon the reliques of Saints; adding, Juravit insuper, se post mortem Regis Edwardi, qui jam senuit sine liberis, Regnum Angliæ Duci, qui in Regnum jus habuit, fideliter conservaturum. Consummatis igitur aliquot diebus

[y] Hist. Ang.
12.

* *Hiſt. Angl.*
p. 912.

Propoſit. 10.

*cum ſumma lætitia, amplis muneribus ditatus, in Angli-
am reverſus eſt Haroldus. Sed cum in tuto conſtitueretur,
jaſtabat ſe laqueos evaſiſſe Hoſtilis, Perſuſit cri-
men eligendo. And * Anno 1257. Writing of the Lay
Peers of France, whereof the Duke of Normandy is firſt,
he hath this paſſage. Rex Anglia, Dux eſt de jure Nor-
mannia, ſanguinis derivatione geneali: Rex ex conqui-
ſtu: dicitur tamen quod beatus Edwardus, eo quod hære-
de caruit, Regnum legavit Willielmo Baſtardo Duci
Normannorum. Sed hoc roboze aſſeritur caruiſſe;
quia hoc fecit in lecto Lethali, et ſine Baronagii ſui
communi conſenſu.*

By all which Testimonies, as likewise by the expreſs
relations of Mr. Camden in his *Britannia*, p. 144, 145.
Richard Verſtegan his *Reſtitution of decayed Antiquities*.
Matthew Parker, his *Antiquitates Eccleſiæ Britannia*,
p. 88. *Mr. Seldens Review of his Hiſtory of Tithes*; p.
482, 483. it is apparent, that King Edward whiles he
was in Normandy, before he was King; upon Duke
Williams repairing into England to him after he was
King, by ſeveral Meſſengers, and Hoſtages ſent to him
in his old age, and in his very death-bed, appointed
Duke *William* to be both his ſucceſſor and heir to the
Crown of England, and that *Harold*, either voluntari-
ly, as purpoſely ſent by King Edward, or craftily, upon
pretence he was ſent by him, to work his own enlarge-
ment and his Nephews; or upon *Williams* motion to
him; voluntarily ſwore, that he would faithfully pre-
ſerve the Crown and Realm of England for him after
King Edwards death, who had appointed him to ſucceed
him, as his heir & next kiſman by the mothers ſide, and
that he intended to diſinherit his Coſen *Edgar Aſhe-
ling* of it, though next heir to it, by reaſon of his mi-
nority, unſitneſs, and indiſpoſition both of body and
minde, to ſway the Scepter of the Realm.

Anno 1066.

King Edward, having finiſhed his Abby of *Westmin-
ſter*, and endowed it with ample lands and privileges by
three

three several Charters, by the advice and assent of all his Bishops and Nobles as (2) aforesaid, Anno 1066, caused it to be solemnly consecrated on Innocent's day, with great solemnity; but falling sick in the midst of these festival Solemnities of its dedication, he betook himself to his bed; where continuing speechless for two days space together, on the third day, giving a great groan, and arising as it were from the dead, he related to those then about him, a Vision he had seen touching the State of England; Namely, that two religious Monks he had formerly known in Normandy, dead many years before, were sent unto him with this message, declaring the Corruptions and Vices both of the Clergy, Nobility, Gentry, and People of England, and the judgements ready to fall upon them for the same: Which [a] Matthew Westminster thus relates. *Quoniam Primores Anglia, Duces, Episcopi & Abbates, non sunt Ministri Dei, sed Diaboli, tradidit Deus hoc regnum uno anno, et die uno, in manu inimici; Damonesque terram hanc totam pervagabunt: [b] Abbot Ailred thus records it, Impletum dicunt Anglorum nequitiam, & iniquitas consummata iram provocat, accelerat vindictam. Sacerdotes pravaricati sunt pactum Domini, polluto peclore & manibus iniquitatis sancta contrectant, & non Pastores, sed Mercenarii exponunt lupis oves, non protegent, lac & lanam querunt, non oves, ut detrusos ad inferos, mors & pastores depascant et oves. Sed et Principes terra infideles, Socia furum PRÆDONES PATRIÆ, quibus nec Deus timori est, NEC LEX HONORI, quibus veritas oneri, JUS CONTEMPTUI, CRUELITAS DELECTATIONI. Itaque NEC SERVANT PRÆLATI JUSTITIAM, nec subditi disciplinam. Et ecce Dominus gladium suum vibravit, arcum suum tetendit, et paravit illum; ostendet doinceps populo hinc iram & indignationem, immisiones insuper per Angelos malos, quibus traditi sunt anno uno & die uno, igne simul et gladio puniendi. The King groaning*

[x] Mat. west
Florentius vii-
gorn. Hoveden,
Ailredus, Brom-
ton, Polychron.
Fabian, Caxton,
Grafton, Holin-
shed, Fox, Spel-
man, Speed.

[a] Flores Hist.
p. 431.

[b] De Vita &
Miraculis Ed-
wardi Confesso-
vis, col. 599.
400.

and sighing for this calamity that was ready to fall upon his people, demanded of the Monks: 'Whether if they repented of their sins upon his admonition to them, God would not pardon them, and remove his judgements, as he did from the *Ninivites*? They replied, 'That God would by no means receive them into his favour, because the heart of this people was hardened, and their eyes blinded, and their ears deafened, that they would not hear reproof, nor understand admonition, nor be terrified with threatnings, nor provoked with his late benefits. The King thereupon demanded, 'Whether God would be angry for ever? 'Whether he would be any more intreated? and when they might hope for a release of so great calamities? To which they replied; 'That if a green tree cut in the midst, and carried a great space from the stock, could without any help reunite it self to the root, and grow again, and bring forth fruit, then might the remission of such evils be hoped for. The verities of which Prophecy (add our Historians) the Englishmen experimentally felt, namely, *That England should be an habitation of strangers, and a Domination of Forceners, because a little space after, scarce any Englishman was either a King, a Duke, Bishop, or Abbot, neither was there any hope also of the end of this misery.* King Edward after his relation of this Vision to the Nobles and Prelates then about him, yielded up the Ghost and died without issue on Epiphany Eve, An. 1066. and was solemnly interred the next day in *Westminster Abbey*, the royal line of the Saxon Kings ending in him, which had continued from *Cerdic* the first King of the West-Saxons for 571. years, without interruption, except by some Danish Usurpers, who for the Sins of the English reigned for some years over them, with rigour, and were soon cut off by death.



CHAPTER 6.

Comprising the Historical Passages relating to the Parliamentary Councils, Lanes, Liberties, Properties, Rights, Government of England, Anno 1066. under the short reign of the Usurper King Harold, till the Coronation of King William the First, falsely surnamed, The Conquerour, though never claiming the Crown by Conquest, but Title.



King Edward deceasing without any issue *Anno 1066.*

of his body to succeed him, refusing all carnal copulation with his Queen, either out of a vowed virginity, as most Historians conclude; or, out of a detestation of Earl Godwins Trayterous

race, quod Rex Religiosus de genere proditoris, haeredes qui sibi succederent, corrupto semine Regis natus

rit procreari, as [a] Ingulphus, [b] Matthew West-

minster, and others record; thereby exposed the king-

dom for a prey to the ambitious Pretenders aspiring af-

ter it. Upon which consideration, praesentiebant plures

in ejus morte, desolationem Patria, Plebis exterminium, to-

ius Angliae Nobilitatis excidium, finem libertatis, ho-

noris ruinam, (as [c] Abbot Ailred informs us.) The

English Prelates and Nobles being then all assembled at

Westminster to the solemn consecration of the Abbey,

were

[a] Historia, p. 899, 900.

[b] Flores Hist. p. 433. Malmshury de Gestis Regum, l. 2. c. 13.

[c] De Vita & Miraculis Edwardi Confessoris, col. 399.

were much perplexed, and the generality of the people exceedingly grieved at his death. For although he were,

[d] *Malmsb. de Gestis Reg. 1. 2. c. 13. p. 79.*

[d] *Vir propter morum simplicitatem parum Imperio idoneus, yet he was Deo devotus, ideoque ab eo directus.*

Denique eo regnante; nullus tumultus domesticus, qui non cito comprimeretur, nullum bellum forissecus, omnia domi forisque quies, omnia tranquilla; quod eo magis stupendum, quia ita se mansuete ageret, ut nec viles homunculos verbo laderet. Nam dum quidam vice venatum esset, et agrestis quidam stabulata illa, quibus in casses cervi urgentur, confudisset, ille sua nobili percitus ira, per Deum inquit et Matrem ejus, tantundem tibi nocebo, si potero. Egregius animus qui se regem in talibus non meminisset, nec abjecta conditionis homini se posse nocere putaret. Erat interea ejus apud domesticos reverentia vehemens, apud exteros metus ingens: fovebat profecto ejus simplicitatem Deus, ut posset timeri, qui nesciret irasci; No wonder then if his death were

[e] *Alfredus de Vita, et Miraculis Edwardi Confessoris, col. 402.*

[e] *cum omnes et in*

[f] *Mat. Westm. Anno 1066. p. 433.*

Rege cernerent unde gauderent, et in se sentirent unde dolerent. The English Nobility were much troubled and

divided in their minds and affections, which were wavering, touching the election of a fit person to succeed him; (f) Fluctuabant Proceres Regni quem sibi Regem praeferrent et Rectorem. Many of them favoured William Duke of Normandy, as specially designed by King Edward to succeed him; others of them inclined to Prince Edgar Atheling, as the next and right heir to the Crown, Cui de Jure debebatur: Others of them favoured Harold, Earl Godwin's son, as being a person then

[g] *Malmsb. de Gest. Regum, 3. p. 99.*

of greatest Power and Valour in the Realm, [g] Anglia dubio favore nutabat cui se Rectori committeret incerta, an Haraldo, an Willielmo, an Edgardo. Nam & illum pro genere proximum regno, Proceribus Rex commendaverat. Harold being a crafty subtil man, knowing that delays were hurtfull to those who were prepared, on the very day of Epiphany, whereon King Ed-

ward

ward was buried, having the command of all the Militia and forces of the Realm, as General and Vice-roy to the deceased King, by the strength of himself and his kinned and friends, invaded and seized upon the royal Crown, and then presently set it upon his own head, crowning himself King without any Title, Right, or due Election by the Nobles, or Coronation by the Bishops, (whereby he incurred the hatred both of the English Prelates and Pope;) and then extorted allegiance from the Nobles; as William of Malmsbury, Matthew Paris, Ingulphus, Henry Huntindon, Matthew Westminster, the Chronicle of Bromton, Knyghton, Caxton, Mr. Fox, Speed, and some others attest. But Marianus Scotus, Florent. Wigorniensis, Roger de Hoveden, Sim. Dunelm. Radulfus de Diceto, Eadmerus, Hygden, Fabian, Grafton, with others, write in favour of Harold, that King Edward before his death, made him not only his General, but Vice-roy; and ordained, that he should be King after him. Whereupon, A totius Angliæ Prælatibus ad regale culmen electus, he was elected to be King by all the Nobles of England, and solemnly consecrated and crowned King by Aldred Archbishop of Yorke. And so, Juxta quod ante mortem (Edwardus) statuerat, in Regnum ei successit Haroldus, writes [i] Eadmerus. That King Edward designed him for his Successor in the Crown, seems very improbable, because Harold himself never alleged nor pretended it in any of his Answers to Duke Williams Embassadors to him, who claimed the Crown by his special bequest and designation in his life-time; and because King Edwards hatred to Godwin and his Posterity, seems inconsistent with it.

[i] William of Malmsbury an impartial disingaged Author living in, or near that time, gives us this determination of these different relations. *Recenti adhuc regalis funeris luctu, Haroldus ipso Theophaniæ die, extorta a Principibus fide, arripuit Diadema, quamvis Angli dicant, a Rege concessum; quod tamen magis benevolentia,*

[b] Historia, Novorum, l. 1.

p. 5.

[i] De Gestis Regum, l. 2. c. 13. p. 93.

[k] Historia,
p. 900.

[l] Historiarum
l. 6. p. 367.

[m] Col. 957.

[n] De Even-
tibus Anglie.
l. 2. c. 15. col.
2339.

[o] De Vita &
Miraculis Ed-
wardi Confesso-
ris, col. 404.

lentin, quam iudicio allegari existimo, ut illi hereditatem transfunderet suam, cuius semper suspectam habueras potentiam. Quamvis, ut non coeleatur veritas, pro persona quam gerebas, regnum prudentia & fortitudine gubernaret, si legitime suscepisset. Abbot [k] Ingulphus living at that time, thus relates his intrusion into the Throne against his Oath. In crastino Regis funeris Comes Haroldus, contra suum statum & iurjurandum, contemper prastitum fidei, ac nequiter oblitum sui Sacramenti, Throno Regio se intrusit: yet adds; per Archiepiscopum Eboracæ Aldredum solenniter coronatus:

(l) Henry Huntingdon thus records it, Quidam Anglorum Edgar Adeling promoveri volebant in Regem: Haroldus vero, viribus et genere fretus Regni Diadema invasit. The (m) Chronicle of Bromton, and (n) Knyghton, thus give us the story of it. Sancto Edwardo rege et Confessore mortuo, quidam Anglorum Magnates Edgarum Adelynge, filium Edwardi, filii Regis Edmondi Ironside in Regem promoveri moliebantur; sed quia puer erat, et tanto oneri minus idoneus, et in bursa minus refectus, Haroldus Comes viribus et genere fretus, Cui erat Mens astutior, crumena fecundior, et miles copiosior, et pompis gloriosior, sinistro omine Regnum occupabit, et contra Sacramentum quod Willielmo Duci Normanniæ prastiterat, Regni Diadema sinistro omine illico invasit, et sic perjurus sancto Edwardo successit: juxta quod idem Edwardus, ut quidam aiunt, ante mortem suam statuerat promissione quædam idem Rex dum juvenis in Normannia exivit, dicto Willielmo de succedendo post eum in regnum fecerat, & sibi super hoc postea secundum quosdam solennes nuncios, ut pramitteretur, destinaverat, non obstante. (o) Abbot Aldred, thus registers Harold's usurpation, and the sad events thereof. Interea Haroldus, Godwin filius, Regnum Angliæ quod secundum fidem Sacramenti debebat servasse Willielmo Regis Edmundi consobrino, tibi nec Jure debitum, nec Natura, irreverenter usurpans, malum quod

quod Angliæ secundum Sancti Regis oraculum Dominus preparaverat transgressione pacti et fidei accelerabit latione. Ut autem attenuati viribus, facilius ab hiis quas injustè provocaverat hostibus vinceretur, suscitavit ei a parte aquilonis inimicos, Haroldum cognomento Harfar, Norwagenorum regem, et Tostium fratrem suum, quem de Anglia ipse expulerat &c. (p) *Thos. Walsingham* thus stories it. Cujus regnum Haroldus continuo invasisse, ex fidelitate perjurus quam Duci juraverat. Ad quem Legatos direxit protinus, hortans ut ab hac vesania resipisceret, et fidem quam juramento sponsonderat, cum digna subjectione servaret. Sed ille hoc non solum audire contempsit, verum omnem ab illo Anglorum gentem infideliter abertit. Hyden in his Polychronicon, l. 6. c. 28. Mr John Fox, Acts and Monuments Vol. 1. p. 214. Mr. Camden in his Britannia, p. 145, 146. Holinshed, Sir John Hayward, Sir Richard Baker, affirm the like, and incline to this opinion. That Harold, by his might, power, craft, policy usurped, and invaded the Crown, without any right, against his Oath. I shall sum up all their Opinions in the words of (q) *John Speed*. 'After King Edwards death, the Statesmen perplexed for choice of a new, Edgar Athelings title was worthy more respect than it found, for him they held too young for government: besides a stranger born, scarce speaking English, and withall the prophecies of Edward, touching the alienation of the Crown, the interest of the Danes, and the claim of Duke William, made, (both by gift and consanguinity) bred great distractions of desires and opinions, but nothing concluded for settling the State; no man assuming or possessing the diadem, because none had the power or right to adorn therewith his own head. In this calm conference a sudden gale arose, which blew all the sails spread for that wind into one port. Harold, son to Earl Godwin, a man (duly prizing his many worthy parts) not unworthy for a Kingdom, next Edward

(y) Typodigma
Neustrie, p. 28.

(q) History of
Great Britain,
p. 416, 417.

(v) *De Gestis*
Regum, l. 2. c. 13
 p. 93, 94.

ward (his Brother-in-law,) in the kingdom, courteous in speech and behaviour, in martial prowesse the only man, (*qui vivente Edwardo quæcumque contra eum bella incensa sunt, virtute sua compressit, cupiens se Provincialibus ostentare, in regnum scilicet spe puritenti anhelans*, as (r) *Malmsbury* writes of him) friend-
 ded by affinity of many of the Nobles, expected to be both sided and assisted, if his cause came either to trial or voice, seeing the time well fitted his entrance. *Swane* King of *Denmark* (most dreaded by the *English*) being then intangled with the *Sweden* wars; *William* the *Norman* (that made claim from King *Edward*) then absent, and at variance with *Philip* the *French* King; the friends of *Edgar* in *Hungary*, and himself a Stranger, over young for to rule: all which concurrent made *Harold*, without deliberation, order from the States, to set the Crown on his own head, regardlesse of all ceremony, and solemn celebration: for which act, as a violater of holy rites, he too too-much offended the Clergy, none either greatly applauding or disapproving his presumption, except only for the omission of manner and form.

Harold having gotten actual possession of the Crown, *Marianus Scotus*, *Florentius Wigorniensis*, *Huntindon*, *Hoveden*, *Sim. Dunelmensis*, *Radulphus de Diceto*, *Hygden*, *Fabian*, *Grafton*, *Holinshed*, *Camden*, and *Speed*, record; that to ingratiate himself with the Clergy & people, He began to destroy evil Laws and Customs befoze used; and stablished just and good Laws; especially such as were for the defence of holy Church: He likewise became a Patron of Churches and Monasteries, respected and reverenced Bishops, Abbots, Monks and Clergymen; shewed himself pious, humble, affable to all good men, and hatefull to all Malefactors; publickly commanding all his Dukes, Earls, Sheriffs, and other Officers, to apprehend all Thieves, Robbers, and Disturbers of the Realm,

Realm; himself likewise taking extraordinary paines
 and care for the defence and guarding of the Realm,
 both by Land and Sea Whereunto *John Speed* super-
 adds, 'He remitted or diminished the grievous cus- *Propositi. 1, 2, 3,*
 toms and Tribute which his Predecessors had rai-
 sed; a course ever powerfull to win the hearts of the
 Commons: to Churchmen he was very munificent,
 and carefull of their advancement; and to grow more
 deeply in their venerable esteem, he repaired their Mo-
 nasteries, especially that at *Waltham*, which he sump-
 tuously new built, and richly endowed. Moreover,
 to satisfie such Nobles as affected young *Edgar*, he
 created him *Earl of Oxford*, and held him in special
 favour. In brief, unto the poor his hand was ever o-
 pen, unto the oppressed, he administred Justice; and
 all to hold that Crown upright which he had set on his
 own head with an unsure hand, and deprived him of
 unto whom he was Protector. But these Encomiums
 of his Justice and Government, seem to me, to be rather
 forged than real. For how could he reform ill Laws
 and Customs, and enact good Laws, when King *Edward*
 had so newly and exactly done it before him, that there
 was no need of such a reformation; neither finde we
 the least mention of any Laws made by *Harold*? Or
 how could he remit, or diminish those grievous customs
 and Tributes, which King *Edward* had totally remitted
 before him, unless himself first revived them? Or
 how could he court the Prelates and Clergy, when as
 he refused to be consecrated by them, for which he in-
 curred their disfavour? I rather therefore incline to the
 quite contrary Characters which other Historians give
 of him and his Government, as most consonant to truth.

[f] *Henry de Knyghton*, though he recites what some
 forementioned write in his favour, yet gives us this ac- *(f) De Even-*
 count of his proceedings himself: *Iste devenit nimis e- libus Anglie,*
 latus et cupidus in collectione auri et argenti et thesauro- *e. l. 1. c. 16. col.*
 rum, nec aliquam uxorem ducere voluit, & vi. oppressit *2339.*
 filias

filias Baronum & Procerum, atque Militum de regno: quod ipsi agrè forebant; Et de Forestis suis tantam ferocitatem & severitatem erga adjacentes Nobiliores exercuit, quod quamplures adhibuit, et multas depauperavit. Nec mirum quamvis ex his et aliis nimis odiosus devenit populis suis. Et ideo pars Comitum et Baronum ad invicem conferebant, dicentes, ipsum non esse fortune deditum, nec verum esse Regem, sed per intrusionem erectum, et ideo infausse regere populum suum. Et mandaverunt Wilhelmo Duci Normannia, ut in Angliam veniret eorum Consilio et Auxilio Jus Regni prosecuturus, feceruntque ei fidelem securitatem veniendi, et consensit. And Matthew Westminster gives us this character of him: Superbia elatus jam factus de Rege Tyrannus, Rex Haroldus in multis patris sui temerarius fuit, et indiscretus, in presumptione ancipiti nimis sua invicta confidens fortitudini, laudis cupidus et Thesauri, promissorum immemor arriorum prosperitate. Unde ipsis Anglis quibus præerat, etiam consanguineis se præbuerat odiosum; victoriamque cum illi Dominus exercituum et Deus ultionum concesserat, non Deo sed sibi, suaque ascripsit strenuitati. Quod recenti experientia fuerat comprobatum, cum a Noricis evictis Superbis spoliisque omnium retentis, quæ alijs promissa debebantur, ad Normannorum prælia precipitaverit et inconsultè festinavit. Unde Duci Galihelmi, magnanimi in negotiis bellicis peragendis, et circumspolli, fidelis in pollicitis, in pace socialis & jucundi, in convivio dapilis et sereni, omnibus fere, tam Anglis quam conterminis, maxime tamen Noricis acceptabatur. Recipientes cum benevole dicebant; Benedictus qui venit in nomine Domini, Rex pacificus, bellator victoriosus, pater & protector desolatorum. Dominus autem Papa, simulque fratres Cardinales universi, cum tota Curia Romana, Regem Haroldum semper exosum habentes, pro eo quod sibi met diadema Regni, sine eorum convenientia, et ecclesiastica solemnitate, consensuque Prælatorum, presumpserat, injuriam

(1) Flores Hist.
p. 434, 44.

*riam dissimularant. Et videntes, quo sine ausa præsump-
tio terminaretur, cum fortuna adversa sunt adversati, po-
tentioriq; manu atque victrici, more cupidorum, vel potius
arundinis exagitata ventorum turbine, quantocius inclina-
verunt.* Such was the Popes & Clergies temper then.

(u) Duke William being certainly informed, that Harold contrary to his Oath and promise to him, had without right or Title invaded the Crown, and being secretly invited by some of the English Nobles to chal- lenge his own right thereunto by Kings Edwards desig- nation; sent Messengers to Harold, who mildly repre- hending him for his breach of Covenant, added by way of menace, that he would before the year expired exact his due from him by force of arms, in case he refused voluntarily to yield up the kingdom to him. But Har- old growing secure, contemning his threats, (as never likely to be put in execution, both because the Dukes daughter, to whom he was espoused, was dead, and himself involved in wars with his Neighbour Princes) returned his Messengers to him with this answer, (x) Harold King of England sends you this answer, That true it is, when he espoused your daugh'er in Normandy, being compelled by necessity, He swore that the Realm of England should belong to thee. But against this he asserts, That a forced Oath is not to be kept: For if a vow or oath which a Virgin had knowingly made concerning her body, in the house of her Father, without her parents con- sent, was revocable and void: much more the Oath which he, being under the Scepter of the King, had made without his knowledge, by compulsion, ought to be null and made void, as he asserted. Moreover he affirmed, *Punctis præ-* *sumptuolam fuisse, quod absque generali Consensu* *Regni Hereditatem debitis juraverat alienandam.* *Addidit etiam Injustum esse petere, ut e regno disce-* *dat, quod tanto Principum favore, susceperat guber-* *nandum. That it was overmuch presumption in him, that* *without the general consent of the Realm, he had sworn* *the*

(u) Ingulphus, Malmsh. wi- zorn. Huntingdon, Hoveden, Mat. Paris, Mat. westm. Valsingham, Ypodigma Neu- trice, Sam. Dunelm. Radulphus de Diceto, Bromton, Hygden, Knighton, Fabian, Caxton, Graf- ton, Holin- shed, Speed, Dant, Baker, S. J. Hayward, and others. [x] Mat westm. p. 434. 435.

Proposit. 5, 10.

the inheritance thereof should be alienated to him : That King Edward being then living, he could neither give away the Kingdoms succession to him, nor grant it to any other without his consent; et sine populi consensu, SENATUS Decreto, et nesciente omni Anglia, de toto Regno, necessitate temporis coactus impegerit : and without the consent of the people, and decree of the SENATE, (or Parliament.) he could not promise to him the whole Realm of England, without the knowledge of all England, being compell'd thereto only by the necessity of the time. Adding moreover, that it was unjust to demand, that he should depart from that kingdom, which he had undertaken to govern with so great favour of the Nobles ; (y) Ead-

(y) Hist. No

70 um, l. 1. p. 5.

[z] Abbreviat.

Chron. col. 481

merus, (z) Radulphus de Diceto, and some others, record this to be his Answer then returned to Duke William. Soror mea, quam juxta conditum ex petis, mortua e. Quod si corpus ejus quale nunc est vult Comes habere, mittam; ne judicer Sacramentum violasse quod feci. Castellum Dofris, et in eo puteum aqua, licet nesciam cui, ut vobis convenit, explevi. Regnum quod necdum fuit meum, quo Jure potui dare vel promittere? Si de filia sua quam debui in uxorem, ut asserit, ducere agit; Super Regnum Anglia mulierem extraneam, inconsultis Principibus me nec debere, nec sine grandi injuria posse adducere noverit.

Proposit. 10, c.

[1] Speeds Hi-

story, p. 419. S e

Sir John Hay-

ward in VVill.

1.

(a) 'The Norman, who till then, thought England sure to be his, and had devoted his hopes from a Duke to a King, stormed to see himself thus frustrated on a sudden, and instead of a Crown to have such scorns heaped on his head; therefore, nothing content with this slight and scornfull answer, returned his Ambassadors again to Harold, by whom he laid his claim more at large; As that King Edward in the Court of France, had faithfully promised the Succession unto him, and again ratified the same unto him, at his being in England; and that not done without consent of the State, but confirmed by Sigand (it should be Robert) Archbishop

Archbishop of Canterbury, the Barls Godwin and Siward, yea and by Harold himself, and that so firmly assured, that his Brother and Nephew were delivered for pledges, and for that end sent to him into Normandy: that he being no way constrained to swear (as he pretended) he appealed to Harolds own Conscience, who besides his voluntary offer to swear the succession of the Crown unto him, contracted himself to Adeliza his daughter, then but young, upon which foundation the Oath was willingly taken. But Harold who thought his own head as fit for a Crown as any others, meant nothing less than to lay it down upon parly; and therefore told Williams Embassadors plainly; 'That however Edward and he had tampered for the Kingdom, yet Edward himself coming in by election, and not by any Title of Inheritance, his promise was of no validity, for how could he give that wherein he was not interested, nor in the Danes time was likely to be? and tell your Duke, that our Kingdom is now brought to a settled estate, and with such love and liking of the English, as that they will never admit any more a stranger to rule over them. That the Duke himself well knew, that the Oath he made him was only for fear of death or imprisonment, and that an Oath so extorted in time of extremity, cannot bind the maker in Conscience to perform it, for that were to joyn one sin with another. With which and the like Speeches he shifted off the Dukes Embassadors, without any Princely entertainment, or courteous regard; who returned home without reply, (b) vel veris vel verestimilibus argumentis perstruit.

[c] Some of our Historians record; That the Dukes Messengers upon their second Embassy, admonishing him how religiously he had bound himself by Oath, and that perjured persons should be sure to find perdition from Gods bands, and reproachfull shame with men, waived all other

[b] Malmesh. de Gest. Reg. l. 3. p. 99, 100.

[c] Eadmerus Hist. Nov. l. 1. p. 5. Radulph. de Diceto Ab. brev. Chron. col. 481. Cambdens other Brit. p. 149.

ther demands of the Crown, and insisted only upon this; That Harold should marry his Daughter, which he had espoused, according to his promise, else he should certainly know he would by force of Arms challenge the succession of the Kingdom promised to him. But this seems improbable, because our other Historians conclude, that his espoused Daughter was dead before this Embassy; and Williams preparations and future Messages claim-

[d] Historia p. 900.

ing the Crown, resolve the contrary. (d) Abbot Ingulphus flourishing at that time, gives us this sum of their Negotiation, and Harold's answer thereunto. *Willelmus autem Comes Normannix Legatos mittit, fœdera facta dicit, pacta pœfecit, promissa petit, & aliquod justum medium confici requirit. At Rex Haroldus Legatos vix auscultat, fœdera fracta negat, pacta recusat, promissa excusat, & omnia justamœdia oblata sufflat, & subsannat; Cumque hæc intermedia quædam agerentur, ac solum nunciorum cursus ac recursus tota æstate sine fructu consumerarentur; The Embassadors returned empty, bringing only Harold's unsatisfactory and scornfull An-*

[e] Mat. Paris
Mat. Westmin.
wigorniensis,
Sim. Dunelm.
Rad. de Diceto,
Bromton, Hun-
tind, Hoveden,
Hyden.
Malmshur. de
Gest. Reg. l. 3.
p. 99, 100.
Henry de
Knyghton, de
Eventib. Angl.
l. 2. c. 26. In-
gulphi Hist. p.
900. Camb-
dens Brittan. p.
148. Speeds
Hist. p. 420.
Grafton, Fabian,
Holinshed, Caston,
Daniel, Baker, Fox,
Sir Jo. Heywood.

swers with them. (e) Wherewith Duke William being much enraged, cast about how to recover that by right of armes which he could not gain by Treaty; providing Ships, Soldiers, Mariners, and all things necessary for an invasive war, making choice of the tallest, sturfiest and goodliest Soldiers he could select, and of such Captains and Commanders, as both in the Army and elsewhere, seemed all of them to be rather Kings than Nobles. And to set the better colour upon his pretended enterprise, he sent to Pope Alexander, acquainting him with the justice of his cause, and the war he had undertaken, his Embassadors setting them forth with all the strength of eloquence, which Harold neglected to doe, either through sloathfullness, or diffidence of his Title, or for fear William (who strictly watched at Ports) should intercept his Messengers. The Pope having weighed

the Tale of both parties, sent a consecrated Banner to *Propose. 6,9*
William, as an Omen of his right to the kingdom, and
 good success taken in the enterprise. Which having
 received, *Conventum magnum Procerum apud Lis-*
libonam. fecit, super negotium singulorum sententias
relatatus; Duke *William* called a Great Council of
 Nobles at *Lillebon*, demanding every one of their opi-
 nions concerning this business: *Cumque omnes ejus*
voluntatem plausibus excipientes, magnificis promissis ani-
massent; *Comitatum spatum omnibus; pro quan-*
titate possessionum indixit, Henry *Huntindon*, *Hygden*,
Radulphus de Diceto, *Speed*, *Daniel*, and others relate;
 That the Lords of *Normandie* in this great Parliamen-
 tary Assembly, taking Counsel amongst themselves,
 what was best to be done in this expedition, *William*
Fix-Osbert counselled, 'to leave and forsake the war,
 both for scarcity of fighting men, and by reason of the
 strength, valour, fierceness and cruelty of the Ene-
 mies. Whereof the other Lords being glad, put their
 answer into his mouth, resolving they would all consent
 to what he should say: Who coming before the King
 said; That he and all his men were ready and devoted to as-
 sist him in that enterprise, and so were all the other Lords.
 Wherenpon all the Nobles of *Normandy* being thus un-
 expectedly surprized and bound by his words and pro-
 mise, provided themselves for the expedition. In this
 Assembly of the *Norman States*, (f) a subsidy being pro-
 pounded, as the sinews to carry on this great undertaking: *Speed's Hist. p.*
 it was answered, That a former war with the French had *421. Daniel*
 impoverished much of their wealth; That if new wars were *Hist. p. 34, 35*
 now raised, and therein their substance spent to gain other *Propost. 1,9.*
 parts, it would be there so missed, as it would hardly be suf-
 ficient to defend their own; That they thought it more safe
 for him to hold what he had, than with hazard of their own
 to invade the territories of others: That though the war in-
 tended were just, yet it was not necessary, but exceeding dan-
 gerous. Besides, by their allegiance they were not bound to

military services in foreign parts. and therefore no payments could be assailed upon them. Whereupon the wealthiest of all the people were sent for by the Duke, and severally, one by one conferred with; *shewing them his right and hopes of England, where preferments lay even for the meanest of them: only money was the want, which they might spare, neither should that be given, but lent upon a plentiful increase.* With which words he drew them so on, that they strove who should give most, and by this means he gathered such a masse of money as was sufficient to defray the war. Besides, *Fitze Osburne* promised to furnish 40 ships at his own charge, the Bishop of *Bayon* 40, the Bishop of *Mans* 30. and so others accordingly, beyond their abilities: And divers neighbour Princes, upon promises of fair possessions in *England*, assisted him both with Ships and Soldiers. On the other side *Harold* to prevent his and the *Danes* invasions, who likewise laid Title to the Crown, provided ships and forces, to oppose them both by Sea and Land, and repairing to the Port of *Sandwich*, appointed his Navy to meet him there; which being there assembled, he sailed with it to the Isle of *VVight*, and there watched the coming of *William* into *England* with his Army all the Summer and Autumn, placing likewise his Land forces of Foot in fitting places about the Sea coasts. But at last the victuals of the Navy and land Army being spent, they both returned home about the Feast of *St. Mary*.

[g] *Malmsb.*
Mat. Paris,
Mat. westm.
Huntindon,
Hoveden, Sim.
Dunelm.
Bromton, Ra-
dulph. de Di-
ceto, Hygden,
Knyghton,
Walsingham,
Fabian, Caxt.
Holinshed,
Graft. Speed,
Daniel, Baker,
Aitredus Abba.
Sir Iohn Hay-
wood.

(g) Soon after Divine Providence, to make the easier and speedier way for *Harold's* overthrow, stirred up his own Brother *Tostig*, the banished Earl of *Northumberland*, to recover his Earldom, and avenge himself of *Harold* (who exiled him) some think by Duke *Williams* advice; they marrying two Sisters: who coming with 60 (some write 40) ships, out of *Flanders*, forced Taxes and Tribute out of the Isle of *VVight*, took booties and Mariners to serve in his Navy on the

Sea

Sea coasts of *Kent*, whence he hoisting sail, fell foul on *Lincolnshire*, where *Morcar* and *Edwin*, Earls of *Chester* and *Yorkshire* incountring him with their forces by Land, and *Harold's* Navy by Sea, with some loss of their men, routed, and drove him from thence into *Scotland*. Where after some stay *Harold Harfager*, King of *Denmark*, after his conquest of the *Orcades*, by *Tosti* his solicitation, came into the River of *Tine* with 300. (others write 500) ships, where they both united their forces, intending to subdue and conquer *England*: then landing their Souldiers in *Northumberland*, they wasted and spoiled the Country where ever they came. Whereupon Earl *Morcar*, and Earl *Edwin*, with the inhabitants of the Country, raised all the forces they could against them, and giving them battel in a tumultuous manner, were routed by them, many of them being slain in the field, and the rest inforced to fly into *York* for shelter, which the Enemies besieging, was presently surrendred up to them, and hostages delivered them after the slaughter of many Citizens, Nobles, and Clergy-men. Upon this King *Harold* recollecting his disbanded Army and Navy, marched with all speed towards *York* against the *Danes*, *Norwegians*, and his brother *Tosti*, but coming to *Hamford* Bridge, one valiant *Dane*, with his Battle Axe slew 40 of his men, and made good the Bridge against the whole Army, for a long space, till at last some going under the Bridge in a Boat, slew him with a spear. Both Armies joyning battel, after a long and bloody fight, *Harfager* and *Tosti*, with many other of Note were slain, their whole Army routed, all their Ships taken, with the loss of many of the bravest English Souldiers, and so of their Ships only permitted to depart into *Denmark* with their wounded men, and *Olaus* *Harfagers* Son, who to save his life, took an Oath, never from thenceforth to attempt any hostility or invasion against the English. (b) This victory Abbot *Ailred* a-*fessoris*, scribes

ascribes to the merits of Edward the Confessor, who promised to be the Captain and Protector of the English Nation, against those Enemies who invaded the Realm contrary to right and Law, and promised them the victory over them: But Harold, ascribing it to his own valour, instead of rewarding his Souldiers with the spoils of the vanquished enemies, as the price of their blood, out of a base unworthy avarice, converted all the spoils and booty to his own private use, giving no part of them to any other: Wherewith many of the Nobles and common Souldiers were so incensed, that detesting the covetousness of their Prince, they unanimously departed from his service, and refused to march with him against the Normans. This triumphant victory so puffed up Harold, that he thought himself secure in the Throne, beyond the fear or reach of any adversity, and instead of a King became a **TYRANT**.

Whilst Harold with all his Land and Sea forces were thus busied in the North of England, Duke William in August assembled all his Land Army and Navy, consisting of 900 ships, at the Port of St. Katherine, to invade England in the South, then wholly destitute of all Guards by Land, and Navy by Sea, to resist his landing. And to satisfy his Souldiers, and all others of the justice of his undertaking, (i) he alleged these three causes thereof; which Henry de Knighton divides into four.

[i] Hen. Huntingd. in Hist. l.

6. p. 367. Polychron. l. 6. c.

29. Chron. 10.

Brompt. col.

958. Hen. de

Knyghton, de

Eventibus

Anglia, l. 1.

c. 16. Speeds

History, p. 120.

Fox Acts and

Monuments,

Vol. 1. p. 215.

Cambdens Britannia, p. 149.

The first was, to revenge the cruel murder of his Cousin Prince Alfred, King Edmunds brother, and of the Normans who came with him to assist him to recover the Crown of England, to which he was right heir, whom Godwin and his Sons had shamefully dishonoured, treacherously betrayed, and barbarously murdered; which fact he ascribed principally to Harold.

The second was, because Godwin and his Sons by their cunning, had injuriously banished Robert Archbishop of Canterbury, Earl Odo, and all the French and

Cambdens Britannia, p. 149. Sir John Haywood.

Normans

Normans out of England, which wrong he would revenge on Harold, as done principally by his means and labour.

The third and chief ground was; because Harold falling headlong into perjury, had without any right usurped the Crown and Realm of England, which of due belonged unto him, both by right of Kinred to, and gift by King Edward his Nephew, and by Harold's own solemn Oath and promise, made to him in Normandy, to preserve the Kingdom for his use after King Edwards death without children, according to King Edwards command.

While Duke William with his ships and Army lay many days together at S. Valerie, expecting a fair gale for England, the winds being cross (k) many of the common soldiers there lying in Tents, thus muttered one to another: That the man was mad who would by force invade and make another mans Country and Realm his own; That God did fight against them in withdrawing the winds: That his Father attempted the same thing in the same manner, and was hindered and inhibited therein. That it was fatal to his family, that aspiring to things above their power, they should find God opposite to them. These speeches bruted abroad, which might enfeeble the strength, and abate the courage even of valiant men; The Duke thereupon taking Counsel with his Senators, caused the Corps of St. Valerie to be brought forth to procure a wind; & presently a prosperous gale filling their sayles, the Duke himself first took ship, and launched forth, and all the rest after him, then casting Anchor till the Fleet came round about him, they all sailing with a gentle course landed at Hastings and Pevensey. The Duke stepping forth of the ship upon the shore, one of his feet slipped, so that he fell down into the mud, one of his hands being filled with sand, which he interpreted as an ill omen, and sinister event. But one of his Soldiers who stood next him, lifting him up from his fall, whiles

[k] Malmsbury de Gestis Regum, l. 3. p. 100.

[l] Mat. westm. p. 435. Mat. Paris Hist. Angl. p. 2. Henry de Knyght. de Event. Angl. l. 2. c. 1. Fabian part 6. c. 217. Grafton, Holsh. Speed, Caxton, Heywood, and others.

whiles he held the mud in his hand, changed this event into a better interpretation, saying; *Most happy Duke, thou already possessest England and plowest it up; Behold the land is in thy hand, Lift up thy self with good hope, thou shalt be King of England ere long.*

4. Malmesb. de Gest. Reg. l. 3. strictly charged them to forbear plundering, and take no booties, seeing they ought to spare the things that should be his own, nor to wrong any of their persons, who should

(n) Restitution ere long become his Subjects. (n) Richard Vestegan records out of a French Historian, that Duke William the

Proposit. 1, 2, 3 same day he landed in England, caused divers of his chief Officers and Friends to dine with him, and chancing at dinner to talk of an Astrologer, who by the conjunction of the Planets, had assured him at St. Valerie, That Harold should never withstand him, but submit himself unto him, and yeeld him faith and homage; willed now that the said Astrologer should be brought unto him, whom he had caused to be imbarqued for that voyage: But it was told him, that the Ship wherein the said Astrologer sailed, was cast away at Sea, and he drowned in it. Whereunto the Duke replied; *That man was not wise, who had more regard to the good or ill fortune of another, than unto his own. I am now, thanks be to God, come over, I know not how the rest will succeed. How fallie this Star-gazers prediction proved, the sequel will manifest.*

(o) Duke William after his arrival, rested quietly 15. days without acting any thing, as if he minded nothing less than war. After which to cut off all occasion or hopes of return from his Souldiers, he fired all his ships, or (as some write) drew them all a shore and intrenched them, as others: erecting only a Castle on the shore for a retiring place for his Souldiers, if need were. From Pevensey he marched to Hastings, where he built another Fort. (p) Henry de Knighton records,

[p] De Event. Angl. l. 2, c. 1. that the first night he lodged in England in his Pavillion.

on, there came a voice unto him, saying: *William, William, (be thou a good man, because thou shalt obtain the Crown of the Realm, and shalt be King of England; and when thou shalt vanquish the enemy, cause a Church to be built in the same place in my name, so many hundred foot in length, as in number of years the seed of thy blood shall possess the Government of the Realm of England, and reign in England, an 150. years. But (q) Matthew Westminster writes, this voice was after the battel with Harold,* [6] Flores Hist. p. 439, 440. not before it, and the subsequent words in *Knyghton*, (touching his march to London,) import as much.

(r) *Harold* residing in the North after his great victory there, when he deemed all his Enemies totally broken in pieces, received certain intelligence, that *Duke William* was safely arrived at *Pevensey* with his Fleet, and an innnumerable company of valiant Horsemen, Slingers, Archers, and Footmen, whom he had hired out of all France. Whereupon he presently marched with his army in great haste towards London; and although he well knew, that most of the valiant men in all England were slain in the two late Battels against *Tosti* and the Danes; that many of the Nobility and Common Soldiers had quite deserted him, refusing to march with him, in that necessity, because he permitted them not to share with him in the great booties they had won with their blood; and that half his Army were not come together; yet he resolved forthwith to march into *Sussex* against the Enemy and fight them, with those small forces tired he then had, being most of them Mercenaries and Stipendiaries, except those English Noblemen, Gentlemen and Freemen, who inflamed with the love and liberty of their Native Country, voluntarily engaged themselves with him in the defence thereof, against the common, dangerous, invading Enemy, rather than to support his usurped Diadem and Royalty over them: of which number there were very few. (f) *Immo vero pauci, et manu promptissimi fuerunt, qui charitati corporum renunciantes Pro patria animas posuerunt.*

[7] Malmsh. Huntindon, Hoveden, Wingham, Radulphus de Diceto, Knyghton, Polychron. Bromton, Fabian, Caxton, Grafton, Holinshed, Speed, Daniel, Baker, Sir John Hayward.

[f] Malmsh. De Gestis Reg. 1.2. p. 94. 1.3. p. 100. See Mat. Westm. p. 435. Fabian, part 6. c. 277. Sir Io. Hayward in Vill. 1.

whiles he held the mud in his hand, changed this event into a better interpretation, saying; *Most happy Duke, thou already possessest England and plowest it up; Behold the land is in thy hand, Lift up thy self with good hope, thou shalt be King of England ere long.*

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chancing at dinner to talk of an Astrologer, who by the conjunction of the Planets, had assured him at St. Valerie, That Harold should never winst and live, but submit himself unto him, and yeeld him such and homage; willed now that the said Astrologer should be brought unto him, whom he had caused to be imbarqued for that voyage: But it was told him, that the Ship wherein the said Astrologer sailed, was cast away at Sea, and he drowned in it. Whereunto the Duke replied; That man was no wise, who had more regard to the good or ill fortune of another, than unto his own. I am now, thanks be to God, some wiser, I know not how the rest will succeed. How false this Star-gazers prediction proved, the sequel will manifest.

[o] Malmesb.

Mat. Paris, wigorn. Hove- den, Bromton, Hygden, Fabian, Knighton, Walsingham, Holinsh. Spenser, Daniel &c. there.

[p] De Event.

Angl. 1.2.6. 3.

(o) Duke William after his arrival, rested quietly 15. days without acting any thing, as if he minded nothing less than war. After which to cut off all occasion or hopes of return from his Souldiers, he fired all his ships, or (as some write) drew them all a shore and intrenched them, as others: erecting only a Castle on the shore for a retiring place for his Souldiers, if need were. From Pevensey he marched to Hastings, where he built another Fort. (p) Henry de Knighton records, that the first night he lodged in England in his Pavillion.

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[r] Malmsh. Huntindon, Hoveden, Wingham, Radulphus de Diceto, Knighton, Polychron.

Bromton, Fabian, Caxton, Grafton, Holinshed, Speed, Daniel, Baker, Sir John Hayward.

[f] Malmsh. De Gestis Reg. l. 2. p. 94. l. 3. p. 100. See Mat. Westm. p. 435. Fabian, part 6. c. 277. Sir John Hayward in Vill. 1.

posuerunt. Nam præter Stipendiarios et Mercenarios milites, paucos admodum ex comprovincialibus habuit. Precipitabant cum nimium fata, ut nec auxilia convocari vellet; nec si vellet, multos parituros invenerat. Ita omnes ei erant infensi, quod solus manubus Borealibus incubuerat: Unde cum suis quos ducebat astutia Gulielmi circumventus, fusus est levi videlicet belli negotio, sed occulto et stupendo Dei consilio, quod nunquam postea Angli Communi prælio in libertatem spiraverint, quasi cum Haraldo omne robur deciderit Angliæ, quæ certe Potuit et debuit (etiam per inertissimos) solvere penas perfidiæ. Yet (t) Thomas of Walsingham and some others write, that Harold had gathered together an innumerable company of Englishmen against Duke William; and the multitudes of the Nobility, Gentry, and Commons of England slain in the Battel, besides those who fled from it, and could not come to fight; manifest his Army not to be so small, as these Authors would make it, (u) only to augment the Englishmens valour, and eclipse the Normans, as overcoming them more by stratagem and multitude than true fortitude. Whiles Harold was in his march towards William within 9 miles of his Fort in Suffax, he sent out Scouts before him, to discover the forces and numbers of the Enemy, who being intercepted and brought to William, he caused them to be led about his tents, that they might well view his Army, and then being bountifully feasted, he commanded them to be sent back to their Master without any harm. Who returning to Harold, commending the Dukes magnificence, martial prowess and clemency, seriously affirmed, that all his Souldiers seemed to be Priests, because their faces and both their lips were shaven; which kind of shaving none of the English then used, but their Priests only. Upon which Harold smiling at the Scouts simplicity; replied, *They were not effeminate Priests, but Souldiers of great and valourous minds, invincible in arms.* Whereupon (x) Girth, Harold

[t] Repodigma
Neustria, p. 28.

[u] See Malm-
bury de Gestis Reg.
Angl. l. 2. p. 94.

[x] Mat. West.
p. 436. Malm-
bury de Gestis
Reg. l. 3. p. 100.
Mat. Paris Hist.
Angl. p. 3. Ho-
linshed, Speed,
Sir Iohn Hay-
ward and o-
thers.

olds younger Brother, a man of great knowledge and valour beyond his years, taking the Speech out of his mouth, said; Seeing you command the valour of the Normans to be so great, I hold it unadvised rashnesse for you to fight with them, to whom you may be reputed inferiour, both in merit and valour. Neither are you able to gainsay, but that you took an Oath to William (to reserve the Crown to his use) voluntarily or unvoluntarily. Wherefore you shall doe more advisedly to withdraw your self out of the field in this instant necessity, ne si perjurus decertans, vel fugam vel mortem incurras, lest fighting perjured, you incurre either flight or death, and the whole Army perish for your sin of Perjury, seeing there is no fighting against God. Therefore expect the issue of the battel without danger: For we are altogether free from any Oath, *justum suscipimus bellum pro Patria pugnatum*, and have undertaken a just warr, to fight for our Country. If we fight alone without thee, thy cause shall prosper better, and thou shalt be more safe, whatever befalls us; For if we fly, thou maist be able to succour and restore us; and if we be slain, thou maist revenge us. But such was Harolds unbridled rashness, that he would not give a pleasing ear to this admonition, esteeming it inglorious, and a great dishonour to his former life and valour, to turn his back to any Enemy or danger.

Nota.

Whiles these discourses passed between them: in comes a Monk sent by Duke William, claiming the kingdom as his, Because King Edward had granted it to him by advice of Archbishop Stigand, and of the Earls Godwin and Siward, and had sent the Son and Nephew of Godwin hostages thereof into Normandy. But to avoid effusion of Christian blood, the Monk brought him these three profers. Either to depart with the Realm to William, according to his Oath and agreement. Or, to hold the Kingdom from, and reign under him. Or finally to determine the controversie between them two by a sin-

gle Duel, in the view of both their Armies. But Harold out of a strange imprudence, impudence & pride of heart, as one whom the heavens would deprecate, accepting neither domestick counsel, nor the Normans offer, would neither vouchsafe to look upon the Messenger with a good countenance, nor discourse with him in milde terms, but sending him away with indignation, prayed only thus, *That God would judge between him and his Master William.* To whom the Monk boldly replying; required, *that if he would deny the right of William, he should either referr it to the Judgement of the See Apostolick, or else to battel, if he had rather; by which he asserted, that William was ready to trie his Title.* But Harold answering nothing to those his Proposals, but what he had done before, went within little of laying violent hands upon the Embassador, commanding William with violent terms and menaces to depart his kingdom: By which he whetted the minds of the Normans to fight, and gave them hopes of Victory by his Injustice. After which both Armies provided to give battel the next morning, being Harold's birth-day, 4 October 1066. his Souldiers (as men whose Heads were sure to be crowned with lawrels of Victory) spent the whole night in licentious revels, riot, drunkenness, clamours, shouts; but the Normans more Christianly and seriously demeaning themselves, spent it in confessions of their sins, prayers, and Vowes to God for victorious successe. No sooner did the morning appear, but the Norman Army was prepared for battel. Then (y) Duke William making an elegant oration to them, minded them, of the extraordinary valour, the manifold victories and conquests of their ancestors and themselves, which he exhorted them now to second, concluding his Speech with this exhortation, *To avenge the injury of Harold, and the treachery of him and the English in murdering Prince Alfred, and the Noble Normans who accompanied him.* *Nonne pudet Regem Haroldum, con-*
tra

(y) Hen. Hun-
tindon Hist. l. 3.
p. 368. Chron.
Iohan: Bromton
vol. 959, 966.

tra me in presentis vestri perjuram faciem suam vobis ostendere ausum fuisse? Mihi tamen stupor est, Quod eos qui parentes vestros, cum Alfrido cognato meo proditione nefanda excapitaverunt, oculis vestris videritis; et eorum capita adhuc humeris eorum supersint. Erigite vexilla viri, nec sit ira promerita modus vel modestia. Ab oriente ad occidente videatur fulmen gloriæ vestræ, audiat tonitrum impetus vestri, Undiqueque generosissimi sanguinis. At which words all the *Normans* were so incensed against the *English*, that they left their Duke alone speaking to himself, before he had ended his Speech; and presently charged the *English* with unspeakable violence, before the third part of their army could be set in battel array (as *Wigorniensis*, *Sim. Dunelmensis*, *Radulphus de Diceto*, *Hoveden*, *Bromton*, and others write.) One *Taillefer*, running before the rest, slew three *English* Ensigns one after another, and then was slain himself, before the rest of the Souldiers encountred. The *English*, by reason of the narrowness of the place, were unable to bring up above one third part of their men to fight in an orderly manner; For which cause, and out of hatred to *Harold*, many of them deserted both the field and him, and very few continued with him with a constant heart. Yet the battel was so manfully fought by *Harold*, and the *English* remaining with him, with various success (sometimes one side prevailing, sometimes the other) that it continued from the third hour of the day, even till dark night. The *English* stood so thick and close together, and fought so valiantly, that the *Norman* assailants could no waies break their array, and were upon the point to recoil: Which *William* perceiving, politicly founded a Retreat; the *Normans* retiring in good order, the *English* supposing them to flee, and themselves to be Masters of the field, thereupon began disorderly to pursue them, breaking their ranks and files; but on a sudden the *Normans* having their wished opportunity

charged them afresh, being scattered and disordered; so as they were not able to recover their battel, and so were beaten down and slain on every side; none of them by flight seeking to escape the field; but to maintain their honour in arms, chusing rather manfully to dye fighting in the cause and defence of their Country, than to forsake their Kings Standard. Who performing the Office both of an expert Commander and valiant Souldier all the day, after many wounds received, and fighting very manfully was at last slain with an arrow, shot through his brain in at his left eye, and falling dead from his horse to the ground, was slain under his own Standard, (when he had reigned only 9. Moneths and S. dayes;) and his two Brothers, Girth and Leofwin, with most of the English Nobility & Gentry there present were slain together with him. Upon Harolds death, most of the common mercenary Souldiers fled, being without that head for whom they fought, and were pursued and slain by the Normans till night, (x)

[x] Mat. west.

p. 438, 439.

Malmsbury, de Sed

Gestis Regum,

l. 3. p. 101.

de Sed generosi malentes mori quam probrose fugere, videntes exhaeredationem suam imminere et jugum intolerabile, donec nox certamen divideret, in certamine immota pectora prabentes prestiterunt, pulchram mortem pro patria ultione meruere. (a) Some of our Histori-

[a] Speed, Hey-

lyn's Microcosm.

ans write, that there were slain of the English in this battel no lesse than sixty thousand nine hundred twenty four men; which could not be, if Harolds Army were so small, as some report it; the Normans losing not above six thousand in the fight. (b) Eadmerus, Roger

[b] Hist. No-

vorum, l. 1. p.

p. 5, 6.

de Hoveden, Simeon Dunelmensis, Radulphus de Diceto, Bromton, and others, ascribe this Victory only to a divine Miracle, and Gods Justice upon Harold for his detestable perjury, from the Testimony of the French who were present in it. *De hoc pralio testantur adhuc Franci qui interfuerunt, quoniam licet varius casus hinc inde extiterit, tamen tanta strages et fuga Normannorum fuit, ut victoria, qua potiti sunt, vero et absq; dubio soli*

miracu-

*miraculo Dei ascribenda sit, qui puniendo, per hanc
 iniquum perjuri scelus Haroldi, ostendit, se non domi-
 num esse volentem iniquitatem.* Which (c) *Abbot Ail-* [c] De Genea-
red thus seconds. Gulielmus Dei subdito (to which log. Reg. Angl.
Harold appealed) ipsum Haroldum Regno simul et col. 367, 368.
vita privabit, for invading the Crown against right and & De Vita &
his Oath, belonging to William, jure consanguinitatis & Mir culis Ed-
antiqua inter ipsum et Edwardum conventionis. The wardi Confesso-
 most of our Historians do the like. (d) *Thomas of* (d) Typodigma
Walsingham, imputes the great slaughter of the English Neustrie, p. 28.
in this battel by the Normans, as a just Judgement of
God upon them for their treacherous murder of Prince
Alfred and the Normans that came with him. Referun-
tur illo conflictu pugna multa millia Anglorum corruisse,
Christo illis vicem reddente ob Aluredi fratris Edwardi
Regis necem, ab eis injuste perpetratus: With whom
Mr. (e) John Fox concurs in his forecited passage; and
Duke Williams Speech to his Souldiers before the battel
implies as much, he making it the chief ground of his in-
vading England.

This battel, writes (f) *Abbot Ailred, Anglicæ Li-* [f] De Vita &
bertati finem dedit, initium Herbituti: to which (g) Miraculis Ed-
Malmsbury subjoyns. Illa dies fuit fatalis Anglis, fu- wardi Confesso-
nestum excidium dulcis patriæ, pro novorum dominorum ris, col. 401.
commutatione. (h) Hanc autem regni subversionem, & [g] De Gestis
sanguinis redundantis effusionem, cometa ingens & san- Reg. l. 3. p. 101.
guinea atque crinita, in exordio illius anni apparet, mi- [h] Ingulphi
naci fulgore præsignavit, unde quidam: Hist. p. 900.
 Mat. Westminst.
 Mat. Paris, p. 4.
 Wigo'n. p. 428.
 Hoveden, p. 447
 448. Sim. Du-
 nelm. col. 193.
 Radulphus de
 Diceto Abbrev.
 Chron. Col. 479.
 Knyghton De
 Event. Angliæ.
 Caxton, Graf-

Anno millesimo sexagesimo quoque seno
Anglorum meta flammæ sensere Cometa.

Quod Regni mutationem magnam, populi Stragem,
& multam terræ miseriam portendit. Ut enim Philosophi
dicunt, quo dirigit crinem, illic dirigit et discrimen; as
 l. 1. c. 15. Polychron. l. 6. c. 28. Walsingham Typodigma, p. 28. Fabian,
 Holinshed, Speed, Stow, Baker, Sir Iohn Hayward,

Abbot

Abbot Ingulphus, Mat. Westminster, Matthew Paris, Huntindon, Hoveden, Wigornienfis, Simeon Danelmenfis, Hygden, Knyghton and others observe.

In this Battel Duke William had three Horses slain under him, and often acknowledged, that Gods divine hand did more protect him, than mans, seeing his Enemy, amidst so many showers of darts and arrows which they shot against him, could not draw so much as one drop of his blood, though they frequently hit him with them.

(i) *Malmsb. de Gestis Regum, l. 3. p. 100, 101. Camden, Speed, Daniel, Fabian, part. 6. c. 217. Sir Io. Hayward in William the 1.*

(i) *Morcar and Edwin Earls of Yorkshire and Cheshire, Harolds Brother-in-laws, withdrawing themselves and their forces from their battel, (either for want of room to fight, as was pretended, or rather for former discontentments) retreated to London: where consulting with Alfred Archbishop of York, and other Peers, and with the Citizens and Mariners of London, they all resolved to crown and set up Edgar Atheling the true heir, for their King: promising, to march under him with all their forces against Duke William, and to try another field: for which end they posted abroad Messengers to levy new forces, and raise up the hearts of the dejected English from a despairing fear. But before Edgars Coronation, whiles many were preparing themselves for a new battel, Morcar and Edwyn (whom this fearful estate of their native Conuntry would not dissuade or restrain from disloyalty and ambition, to gain the Crown to themselves, (as some record) secretly hindered that noble and prudent design, by withdrawing themselves from Edgar, and marched home with all their forces and their Sister Algetha, or Agatha, (Harolds wife) into Northumberland; conjecturing out of their simplicity, that Duke William would never come so farr. Upon their departure, though the rest of the Nobles would still have elected and crowned Edgar King, if the Bishops would have assented therunto; yet the Prelates, struck with the fear of the Popes thunderbolt from abroad, and with the consideration of the*

the divisions, distractions of the Nobility and people, and the imminent danger at home, would no wayes concurr with the Nobles, Londoners, Sea-Captains and others, to crown Edgar, but resolved to go forth and submit themselves to the victorious Duke, and elect and crown him for their Sovereign. (k) The Nobility discerning this wavering inconstancy of the Bishops; and considering, ^{[k] Daniels History.} that they were nobly born, and must have a King; that not to take him (who was of power to make himself King) would shew more of passion than discretion, distrusting each others faith, began to strive and runn headlong, who should be the first to preoccupate the Grace of Servitude, and intrude them into forein subjection. The Commons (like a strong Vessel, that might have been for good use) were hereby left without a stern, and could not move irregularly without apparent shipwrack. So that all estates in generall, either transported with sordid fear, or corrupted with new hopes, forsook Edgar, themselves, and their distressed Country, resolving all to become Williams sworn Vassals, without any further contest. (l) *Ita Angli qui in unam coeuntes sententiam potuissent Patria reformare ruinam, dum nullum ex suis volebant, induxerunt alienum.* ^{[l] De Gestis Reg. l. 3. p. 102.}

During this their Consultation at London, (m) Duke William after his victory marched with his army through Oxfordshire, Buckinghamshire and Hartfordshire, towards London, so farr as Berkhamsted, without the least opposition; wasting the Country, burning the Villages, and slaying the people (as Hoveden, Cambden, and others write) notwithstanding his former inhibition of plunder, so force them more readily to submit unto him. Hereupon Aldred Archbishop of York, Wulfstane Bishop of Worcester, Walter Bishop of Hereford, yea Prince Edgar himself, all the English Nobility, the chiefest of the Londoners, and many others repaired to the victorious Duke at Berkhamsted; where giving

(a) *Mat. Paris*,
in the life of
Abbot Freder-
rick, Speeds Hi-
story, p. 436.
John Stow, Sir
John Hayward,
in William the
1.

(c) *Matthew*
Westm. p. 44.
Mat. Paris, p. 3,
4. *Malmsb. de*
Gestis Reg. l. 3.
p. 102. *Bromton*,
Knyghton,
Grafton, *Speed*,
Daniel and o-
thers.

(p) *Topodigma*
Neustrie, p. 28.

him hostages for their fidelity, they resigned themselves up unto him as his subjects, and swore allegiance to him: with whom he reciprocally made a Covenant of Peace; & nihilominus exercitui suo villas cremare, & rapinas agere permisit, adds *Hoveden*. When the feast of Christs Nativity approached, Duke William resolved to march to London, with all his Army, and there to be crowned King; (n) but being on his way, he found all the passages blocked up with many great trees, which Frederick Abbot of St. Albans (descended from the Saxons noble blood) had caused to be cut down and cast in the waies, to secure his Monastery from the destruction of the Normans; whereat the Duke both wondering and fretting, sent for the Abbot, under assurance of his safe return; and demanding the cause, Why his woods were thus felled, and the wayes blocked up? he returned him this stout answer: I have done (saith he) both the duty of my birth and profession; and if others of my rank had performed the like, (as they well might and ought to doe) it had not been in thy power to have pierced the land thus farr. William hearing his bold answer, and knowing it was now a fitter time to pacifie, than exulcerate the English Spirits, gave way to the present necessity, and marched to London with his Army; where he was joyfully received, by the Prelates, Nobles, and Generality of the People, and by them all elected and crowned King on the day of Christs Nativity, Anno 1066. (o) *In magna exultatione a Clero et Populo susceptus, et ab omnibus Rex acclamatus.* (p) Thomas of Walsingham records, that Williams Vantguard marching into London before him, found many Rebels against him in the streets of the City, with whom they encountering forthwith, brought no small grief and lamentation to the City, by reason of the many funerals of the Citizens and their Sons whom they slew. At last, the Citizens perceiving they could no longer resist them, put in hostages, subjecting themselves with all theirs to their Conqueror and

Hereditary

Hereditary Lord. After which (writes he) the Duke on Christmas day was elected King by all the Nobles, as well of the Poymans as English, and anoynted with sacred oyl, and crowned with the royal Crown by the Bishops of the Realm at Westminster; He receiving the Crown from the hands of *Aldred* Archbishop of York, refusing to be crowned by *Stigand* Archbishop of Canterbury, by reason of the many evils and horrible crimes reported of him, and because he had unlawfully invaded that See, during the life of Robert, for which he was suspended by the Pope: ne maledictionem videretur induere pro benedictione, as most of our Historians accord: though the [r] Chronicle of Bromton, and [s] *Mat. Parker* assert, that *Stigand* peremptorily refused to crown him, being a man of blood, and an invader of anothers right. Cumque Willielmus Dux Normanniæ, Conquestor Angliæ Tyranni nomen exhorresceret, et nomen Legitimi Principis induere vellet, à *Stigand* Cantuariensi Archiepiscopo in regno petiti consecrari. Ille vero, ut quidam dicunt, cruenti viro, et alieni Juris invasori, manus imponere formidans nullatenus adquevit. Unde licet ipse Willielmus eundem *Stigand* ut noverat multis modis blandè honoravît, ipsum tamen nunquam cordialiter amavit.

[r] Thomas Sprot, William Thorne, and out of them [u] *Mattheu Parker*, [x] Mr. *Lambard*, [y] Mr. *Cambden*, [z] *Godwin*, *Stow*, and [a] *Speed* record this Story, which none of our other antient Historians mention, That after Duke William had slain *Harold*, and the City of London with the generality of England had submitted to his power, being struck with the fear and terror of *Harold*s death, and the Englishmens great slaughter) except Kent alone; William marched with his forces towards *Dover Castle*, (the lock and key of the Realm) the better to command the Seas, and awe the Kentishmen, to subject it, and the other parts of the County to his power. Archbishop *Stigand* then ly-

[q] Eadmerus, Hist. Novorum, l. 1. p. 6.

Malsb. Mat.

Paris, Mat.

Westm. Wigorn.

Sim. Dunelm.

Radul. de Dice-

to, Hoveden,

Bromton,

Knyghton, Hyg-

den, Mat. Par-

ker, Godwin, &

Gertrastus Dor-

bern in the lives

of *Stigand*, and

Alfred, Chron.

will. Thorne, col.

1792.

[r] Chron. Io.

Bromton, col.

962.

[s] Mat. Pav-

ker, Antiq. Ec-

cles. Brit. p. 89,

90.

[t] Chronica

Vill. Thorne,

col. 1786.

[u] Antiq. Ec-

cles. Brit. p. 89,

90.

[x] Perambu-

lation of Kent.

[y] Britannia,

p. 325.

[z] Catalogue

of Bishops, p. 28.

[a] History, p.

437, 438.

See John Ho-

ward in Vill.

the 1.

Proposit. 3.5.

lying close in that County, either to renew the war, or to obtain more honourable and just conditions of subjection for his Kentishmen than any others, effected for his Kentish people that which none in his Country did besides. For perswading all his Kentish men to keep at home, and not stir out of their confines, when he heard of *Williams* approach, advising with *Eglesin* Abbot of *St. Augustines* (they two being the chiefest Lords and Governours of *Kent*) and the principal men of *Kent*; they considered, that the whole Realm was in a very sad and ill condition; for whereas before the coming of the said *William*, none of the English was a Servant, that now almost indifferently, as well Noble as Ignoble, were subjected to the perpetual Servitude of the Normans. And out of the dangers of their neighbours, assuming matter for their own and their Counties preservation, they assembled all the Commons of *Kent* to *Canterbury*; where they represented to them, the imminent dangers of the Country, the misery of their neighbours, the insolency of the Normans, and the calamity of a servile condition; all which now were too apparently seen. The English till then were free-born, and the name of bondage never heard among them, and they amongst the rest; but now nothing but servitude attended them, in case they unworthily yielded (as others had done) to the insolency of this griping Enemy. Whereupon by common advice, all the people decreed and declared to meet Duke *William*, et cum eo pro Patriis Legibus certare; and to fight with him for the Lawes of their Country; chusing rather to end an unhappy life by fighting for them in the field, than to undergoe the unaccustomed yoke of bondage, or to be reduced from their accustomed liberty to an unknown and unsure Slavery. The Archbishop and Abbot chusing rather to die in battel, than to behold the miseries of their Nation, after the example of the holy *Maccabees*, became the Captains of the Kentish Army, resolving to die in defence of their Country

Country and Laws, whereupon they all resolved to meet together at *Swanscomb*, (two miles from *Gravesend*) at a set time. Where assembling accordingly, they secretly kept together in the woods, watching the Dukes approach, all joyntly agreeing to block up his passage on all sides, and to surround the Duke and his Army on a sudden, that they might not escape them, every one of the Horse and Footmen carrying a green bough in his hand, that they might not be discovered, and wherewith, if need were, they might impeach and hedge up the *Normans* passage. The Duke marching the next day through the fields near *Swanscomb*, the whole multitude of the Kentishmen, like a moveable wood, surrounded him, approaching nearer and nearer to him with a lost pace. Which stratagem so daunted the Duke, even with the very sight of their approach, (who being, as he thought, free from all Enemies, was now suddenly beset on all sides with these moving woods) that he knew not but all the other vast woods he saw, might be of the like nature; neither had he time to avoid the danger. The Kentishmen having thus enclosed him round about, casting down their boughs, bended their bowes, drew out their swords, shaken their pikes, held forth their other arms, displayed their banners, and sounded their trumpets in token of battel. The Duke and his Army being herewith astonished, (though so puffed up with their former late victory, that they had even now, to their seeming, the whole Realm of *England* in their hand) were so extraordinarily terrified herewith, that they stood in danger not only of the losse of the Victory and Army, but he even of his own life. Whereupon he desired a parley with the Kentish before the battel was joyned. Upon this *Ssigand* and *Egelfine*, their Generals, were sent Embassadors to the Duke, on the behalf of the rest, who spake thus to him in their Kentishmens names.

Most Noble Duke, behold the people of Kent, are

come forth to meet thee as thy friends, and are ready to receive and obey thee as their Liege Lord, if thou shalt grant their most just requests, demanding only such things as make for peace, and such as only tend to retain the Liberty received from their Ancestors, and preserve the Laws and Customs of their Country. Neither will they be reduced under Bondage never yet felt by them, nor tolerate any new Lawes; For they can bear Royal Authority, but not Lordly Tyranny. Wherefore receive the Gentlemen, not as thy Servants, but as thy loyal, loving and affectionate Subjects. Yet upon this condition, That all the People of Kent may for ever enjoy their antient Liberty, without diminution, and use the Laws and Liberties of their Country. But if thou endeavourst to take away their Liberty, and the Immunity of their Laws, thou shalt likewise take away their Lives together with them: they being all ready at present to give thee and thine battel, and to try the uncertain chance of Warr; Being fully resolved rather to die in the field, than in any sort to depart with their Countries Laws and Customs, or to live under strange Laws or servile Bondage; the name and nature whereof is and ever shall be strange unto us. For although the rest of the English can submit themselves to Slavery, yet Liberty is the proper badge of Kentish men.

The Duke astonished with this Oration and his new troubles, with a perplexed troubled mind, advised hereupon with his Counsellors; and wisely considering, that the event of the battel would be very doubtfull, that if he should depart without accomplishing his designe, or if he should suffer any repulse or inconvenience from this warlike people, that it would not onely redound to his great infamy, but that it would endanger the loss of his new-acquired kingdom; undo what ever he had hitherto effected, and turn all his hopes and security into danger, if he should not joyne Kent, the
key

key of the whole Realm to the rest of the Kingdom, and retain it more by friendship and compact, (thus offered to him) than by force. And considering likewise that their demands were not unreasonable; he thereupon, not so willingly as wisely, rather out of necessity, than voluntarily, granted to the Kentish men, that they should live freely according to their antient Laws and Customs. Whereupon there being a League made between William and the Kentishmen, and Hostages given on both sides for performance of it, they thereupon laid down their arms, and the joyful Kentish men conducted the joyous Normans to Rochester, where they resigned up to Duke William both the County of Kent, and noble Castle of Dover. And thus the antient Liberty, Laws, Usage, and Custom of the English (called *Gavelkind* in the municipal English Laws) which was frequently and equally used throughout the whole Realm of England, before the coming of Duke William, afterward taken from others, continued more inviolable even till these our dayes in Kent alone, by the industry, courage, intercession and earnest vehemency of *Stigand* and *Egelsine*. Which thing is sufficiently proved out of antient Writings concerning the customs of Kent, wherein it is thus recorded, *Dicit Comitatus, quod in Comitatu isto de jure debet de ejusmodi gravamine esse liber; quia dicit, quod Comitatus iste, ut residuum Anglia nunquam fuit Conquestus, sed per pacem factam se reddidit Conquestoris dominationi Salvis sibi omnibus Libertatibus suis, et liberis consuetudinibus primo habitis et usitatis.* And from this valour and prowesse of the Kentishmen in standing thus manfully for the Laws, Customs and Liberties of their Country both against Duke William, and the Danes before him, when as the other English basely submitted their necks to their Vassalage, they (b) first obtained, and for many years after claimed, enjoyed this special privilege, That in all Armies and Battaliaes of the English, they

[b] *Cambien*
Britannia, p.
324. Iohn Sa-
isbury in his
Polycraticon.
had

had the honour of the Van, and foreward, and were worthily placed in the front, in all conflicts with the Enemy; they above all other Englishmen, retaining still the badges of their antient worthinesse and Liberty.

Duke William having thus rather reconciled, than subdued Kent to himself (of which he was most careful, because therein were the most commodious Ports for any to pass into or out of the Realm) hasted to London to his Coronation; (which Matthew Parker, Godwin, and others, make subsequent to his Agreement with the Kentish men, though Speed erroneously makes it precedent) where he conceived so profound a displeasure against Archbishop Stigand, for his forecited Speech and Stratagem to preserve the Liberties, Laws and Customs of his Kentishmen, that he would not suffer him to Crown him, according to the duty of his place, though he alleged other reasons for it, and never ceased his rancor towards him, till he had revenged it; (c) first by carrying him over with him into Normandy soon after in the nature of a prisoner at large, under a pretext of honour: Next, by depriving him of his Archbishoprick, upon his return from thence; And finally, by shutting him up presently after a Prisoner in Winchester Castle, where he had scarce enough allowed him to keep life and soul together, and soon after there died of grief or famine.

[c] Mat. Paris, Mat. westm. Wigorniensis, Huntindon, Howeden, Malmsb. De Gestis Reg. & de Vitis Pontificum in Stigando, Sim. Dunelmensis, Bromton, Hygden, Chronicon Will. Tbo. ne, col. 1787. Hen. de Knyghton, de Eventibus Anglie, l. 2. c. 8. Matthew Parker, and Godwin in his life. Sir Iohn Hayward in Will. I. Proposit. 1, 2, 4, 5,

When Duke William was crowned at Westminster by Archbishop Aldred, before he set the Crown upon his head, he caused him before the altar of St. Peter in Westminster, to promise upon Oath in the presence of the Clergy, Nobles and people, *Se velle Sanctas Dei Ecclesias, ac Rectores earum defendere; necnon & cunctum populum sibi subiectum Iuste & regali Providentia regere; Rectam Legem statuere et tenere; Rapinas iniustaque iudicia penitus interdicere*; as Florentius Wigorniensis, Simeon Dunelmensis, Roger de Howeden, and Radulphus de Diceto, record his Oath: Which the Chronicle of Bromton, col. 962. thus expresseth, *Ipsum Regem*

Regem Willielmum ad Jura Ecclesia Anglicana tuende et confirmanda, populumque suum recte regendum et leges rectas statuendum Sacramento sollemniter astrixit. Which John Speed thus renders in English, *At his Coronation he took a corporal Oath, before the High Altar, according to the accustomed forms. To defend the holy Church of God and the Rectors of the same. To govern the universal people subject to him justly; to establish equal Laws, and to see them duly executed as became a good King.* After which Oath taken, the Bishops and Barons of the Realm there publikely made him homage, and took an Oath to him, to be his true and loyal Subjects. Thus (writes (d) Matthew Westminster,) the Kingdom of the English was translated to the Dominion of the Normans by the most orderly disposition of God, who disposeth and dissipateth Kingdoms, and disappointing the Councils of Princes, gives them to whom he will, and so long as he pleaseth, neither is there any that can say, why d'st thou thus? [d] Flores Hist. p. 440.

What the chief Sins of the Englishmen then were; which brought them under the Norman yolk, I have mentioned in part; take this addition to them, out of the Chronicle of Bromton, col. 961, 962. *Cur autem tanto furore Dei Justitia in Anglos exarsit, causa, ut creditur hac est. In primitiva Anglia Ecclesia Religio clarissimus splenduit, &c. Processu vero temporis adeo omnis virtus in eis emarcuit, ut gentem nullam in proditione et nequitia sibi parem esse permetterent. Immisit ergo Dominus omnipotens, velut examina apum, Gentes crudelissimas, quae ab initio Ethelwulfi Regis, usque adventum Normannorum per CCXXX. annos Terram jugiter, protriberunt, et potissimum Rozmanni, quando omnes fere Angli (ut inferius aliquantulum patebit) in servitutem sunt redacti, et approbium erat Anglicus appellari:* To whom I shall subjoyn this passage of

[e] William of Malmesbury more fully setting out the Sins and Vices of the generality of the English in that (e) De Gestis Regum, l. 3. p. 101, 102.

age, which brought Gods judgements on them, and enslaved them to the Normans by one single battel. *Ille fuit dies fatalis Anglis funestum, ensidium, dulcis patrie, pro novorum debinetum communitate.* Jam enim priorem moribus Anglorum insueverat, qui variis admodum pro temporibus fuere. Nam primis adventus sui annis vultu & gestu barbarico, usu bellico, ritu fanatico vivebant: Sed postmodum Christi fide suscepta, paulatim & per incrementa temporis, praeceps quod attinebant exercitium armorum in secundis ponentes, omnem in religione operam insumpsere. Taceo de pauperibus quos fortuna tenuitas plerumque continet, ne cancellos justitia transgrediantur: pratermisso gradum Ecclesiasticorum viros, quos nonnunquam professionis continentia, sed & infamia metus à vero deviare non sinit. De Regibus dico, qui pro amplitudine suae potestatis licenter indulgere voluntatibus possent: quorum quidam in patria, quidam Roma, mutato habitu caeleste luc rati sunt regnum, beatum nati commercium. Multi specie tenuis tota vita mundum amplexi, ut thesauros egenis effunderent, Monasteriis dividerent. Quam dicam de tot Episcopis, Hermitis, Abbatibus: nonne tota Insula indigenarum tantis reliquiis fulgebat, ut vix aliqua vicum insignem pratererat, ubi novi Sancti nomen non audias? quam multarum etiam perii memoria, proscriptorum inopia. Verumtamen literarum et religionis studia etate procedente absoleverunt, non pauci ante adventum Normannorum annis. Clerici literatura tumultuaria contenti, vix Sacramentorum verba balbutiebant: stupori et miraculo erat ceteris, qui grammaticam noscet. Monachi subtilibus indumentis et indifferenti genere ciborum regulam ludificabant. Optimates gala & venerii dediti Ecclesiam more christiano mane non adibant, sed in cubiculo, et inter uxorios amplexus, matutinarum solemnium et Missarum a festinante presbytero auribus tantum libabant. Vulgus in medio expositum, praeda erat potentioribus, ut vel eorum substantiis exhaustis, vel etiam corporibus in longinquas terras

terras distractis acervos thesaurorum congererent, quamvis magis ingentium sit illi genti commensationibus, quam operibus inhiere. Illud erat a natura abhorrens, quod multi ancillus suas ex se gravidas, ubi libidini satisfecissent, aut ad publicum prostibulum, aut ad aeternum obsequium vendicabant. Potabatur in commune ab omnibus, in hoc studio noctes perinde ut dies perpetuantibus, parvis & abjectis domibus totos sumptus absunuebant: Francis & Normannis ab similes, qui amplis & superbis adificiis modicas expensas agunt. Sequebantur vitia ebrietatis socia, quae virorum animos effeminant. Hinc factum est, ut magis temeritate et furore precipiti, quam scientia militari Willielmo congressi, uno praelio, & ipso perfacili, se servituti se patriamque pessundederint. Ad summam, tunc erant Angli vestibus ad medium genu expeditis, crines tonsi, barbas rasi, armillis aureis brachia onerati, picturatis stigmatibus, cunctis insigniti: in cibis urgentes crapulum, in potibus irritantes vomitum. Et hac quidem extrema victoribus suis participarunt, ad ceteris in eorum mores transcurrentes. Sed hec mala de omnibus generaliter Anglis dicta intelligi nolim. Scio clericos multos tunc temporis simplici via semitam sanctitatis trivisse; Scio multos Laicos omnis generis & conditionis in hac eadem gente Deo placuisse: facessae ab hac relatione invidia, non emullos pariter hac inopluat calumnia. Verum sicut in tranquillata malos cum bonis fovet plerumque Dei serenitas, ita in captivitate bonos cum malis nonnunquam ejusdem constringit severitas.

I have insisted more largely upon the Historical part of Harold's usurpation, perjury, short and troublesome reign, tragical death, Duke William's claims to, and manner of acquiring the Crown of England, for this reason especially; To refute the common-received Error of some ignorant Historians, of many illiterate Statists and Swordmen of this age, and of sundry temporizing Ignoramusses of my own robe; who publicly averr in their Pamphlets, Speeches, Charges, and Discourses; that Duke William claimed and obtained the

Crown of England only as a Conqueror; and thereupon altered the antient Laws, Customs of the Realm, and gave New Laws unto it by his own absolute power, as a Conqueror thereof. Upon which false Ground they inferre; That those in late and present Power, coming in by the same Title of Conquest, may lawfully give new Laws to, & impose what Taxes, Government they please upon the English (as well as Scottish and Irish) as a meer conquered Nation, by their own inherent authority; seeing by the * Laws of Warr, regularly all Rights and Laws of the place and Nation conquered be wholly subject to the Conquerors will. And hereby they justify all their late Impositions, Taxes, Excises, Sequestration, Seisures, Sales of all the publike revenues of the Nation, and many thousand private mens Estates, by their *Westminster*, and *White-Hall* Ordinances, Edicts, with the changes of our Government, new modellings of our Parliaments, and all other irregular proceedings, destructive to our Fundamental Rights, Laws, Liberties, Government, (which they formerly covenanted inviolably to maintain) without grant or consent, by any free, full, lawfull English Parliaments. Now to demolish all these their superstructures, by subverting their false Foundation of *D. Williams* pretended Title to the Crown of England only by Conquest; It is most apparent by the premised Historical Authorities.

* See Grotius,
De Iure Belli,
l. 3. c. 4, 5, 6, 7,
35.

1. That King *William* alwayes claimed the Crown of England, both before, at, and after his Coronation, as of right belonging to him, by the promise, gift, contract, gift and bequest of *Edward the Confessor*, and as his heir and next kinsman by the Mothers side.

a. That he alleged, this gift and grant of the Crown to him, to be made with the consent of the Archbishops of *Canterbury*, Earls *Godwin*, *Syward*, and other Nobles of the Realm; ratified by special Messengers sent unto, and Hostages delivered him for its performance, and by *Harolds* own solemn agreement and Oath, sent

to

to him by King *Edward* for that purpose, as himself at least suggested to him: which designation and grant of King *Edward* to *William*, was no fiction; but a truth confessed by all our Historians, and *Harold* himself, who by his answers never denied, but only endeavoured to evade it, and voluntarily acknowledged by all the Nobles of *England*, both at his Coronation, and in Parliament it self in the 4. year of his reign.

3. That after King *Edwards* decease, divers of the Nobles would have elected *William* King, in pursuance hereof, but that *Harold* perjuriously usurped the Crown by meer force and power, without the least right unto it, or any election by the Lords or people; setting the Crown on his own head the very day King *Edward* was interred, and thereby prevented *Williams* election to it.

4. That hereupon divers of the Nobles, Prelates, and other English, sent private Messengers to *William* into *Normandy* to come and demand his right to the Crown, as due unto him; promising hostages and their assistance to recover it.

5. That thereupon he sent Embassadors twice or thrice to *Harold*, one after another, before his landing, insisting on his meer right and Title to the Crown, to gain it by parly without effusion of blood.

6. That upon *Harolds* obstinacy, he appealed to the Pope, and to all his Nobles assembled in a Parliamentary Council, for the justice of his Title and Right to the Crown, who declared his Title Lawfull and Just; and thereupon encouraged, assisted him all they could to regain it by force of arms from the Usurper *Harold*, who would not otherwise depart from it.

7. That immediately after his landing he made claim unto it only by the foresaid Right, Title, and thereupon prohibited his Souldiers to plunder the Country or hurt any of the Inhabitants, as being his by right.

8. That very few of the English Nobility or Nati-

on, would march or engage with *Harold*, against *William*, and sundry withdrew themselves from the battel, as conscious of *Harold's* usurpation, perjury, and *William's* just cause against him, (however other causes were then pretended) and amongst the rest, his own Brother-in-laws, the greatest Peers of the Realm, Earl *Morcar* and *Edwin*, deserted him in the fight.

9. That after the first battel won and *Harold* slain, all the Prelates and *Clergy* generally (except *Abbot Frederick*) appeared for him, and would not consent to set up *Edgar*, though right heir.

10. That after good deliberation, all the Nobles, Prelates, *Londoners*, and others who first appeared for *Edgar*, with the greatest part of the *Clergy*, people of the English Nation, without the least fight or resistance, or before any siege or summons from him, together with Prince *Edgar* himself, voluntarily went out, and submitted themselves, swore faith and allegiance to him as their Sovereign, at *Berkhamsted*, and after that joyfully received him with highest acclamations as their lawfull King, at his entry into *London*.

11. That all the Prelates, *Clergy* and Nobility soon after, without any coercion, upon his foresaid right and Title, freely elected, and solemnly crowned him as their lawfull King, in a due and accustomed manner, and then did Homage, and swore new Allegiance afresh unto him, as their rightful Sovereign.

12. That he took the Ordinary Coronation Oath of all lawfull Kings; to maintain and defend the rights, persons of all his people, to govern them justly, &c. as became a good King; which a King claiming by meer conquest, would never do.

All these particulars are undeniable Evidences, that Duke *William* never made the least pretence, claim, or title to the Crown and Realm of *England*, only as an absolute Conqueror of the Nation, but meerly by Title, as their true and lawfull King, by designation, adoption,

adoption, and cognation, seconded with the Nobles, Prelates, Clergy, and peoples unanimous election: And although it be true, that this Duke ejected *Harold* and got actual possession of the Throne and Kingdom from him by the sword, as did *Aurelius Ambrosius* and others before, and King *Henry* the 4. *Edward* the 4. *Henry* the 7. with others since his reign; yet that neither did, nor could make him, a King by conquest only, no more than these other Princes, seeing the end of this warr was not against the whole *English* Nation, the greatest part whereof secretly abbetted his interest; but only against the unjust *Usurper* and *Intruder* King *Harold*, and his adherents; not to create a Title to the Realm, by his and their Conquest, but to remove a *U*-surper, who invaded it without and against all right, and to gain the actual possession thereof by arms, from which he was unjustly withheld by force, against those pretended lawfull Titles which he made. So that he got not the Right, Title, but only the actual possession of the Crown by his Sword, not as a universal Conqueror of the Realm without right or Title, but as if he had been immediate heir, and lawfull Successour to the *Confessor*, who designed him to succeed him. For fuller confirmation whereof, I shall here subjoin these ensuing proofs.

1. King *William* himself at his very Coronation in ^(e) *Britannia* London (as Mr *Cambden* informs us) said; That the king-^{in English, p.} dom was by Gods providence appointed, and by vertue of a ^{145.} gift from his Lord and Cosen King *Edward* the glorious, granted unto him; and that this most bounteous King *Edward* had by adoption ordained him his heir in the kingdom of England.

2ly, In his ^(f) Charter to the Church of *Westmin.* ^(f) In Insper: stor, he resolves as much in direct terms, where he re-^{par. 7. 1 E. 4.} cites, *In ore gladii Regnum adeptus sum Anglorum,* ^{membr. 26. Mr.} *domus Haroldo regis Cum suis complicitibus, qui mihi* ^{of his History of} *Regnum cum providentia Dei destitutum, & beneficio* ^{Tithes, p. 483.} *concessionis*

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CONCESSUM, *conati sunt auferre, &c.* So that his Title was from Edward, though his possession by the sword.

(g) *Spelmanni*
Council. p. 619.

* *FoVeden,*
p. 601.

[b] *I. Seldeni*
ad Eadmerum
Nos. 2. 111.

[i] *Cambdens*
Britannia, p.
145. Speeds
History, p. 448,
449.

3ly. In the very (x) Title of his Laws, (published in the 4th year of his reign, (which he was so far from altering, that he both by Oath and Act of Parliament, ratified, confirmed all the Laws and Customs of the Realm used in the Confessors time and before, presented by a Grand Enquest unto him out of every County of England upon Oath, without any alteration, prevarication, or diminution) he stiles himself, (or is stiled by the Collector of these Laws) **HEIR AND COSEN TO Edward the Confessor**, even in the ancient Manuscript which Sir Henry Spelman hath published *Incipiunt Leges S. Edwardi Regis, quas in Anglia tenuit; & quas WILHELMUS HÆRES & cognatus suus POSTEA CONFIRMAVIT.* To which I shall likewise subjoyn the words of the Charter of his Sonn (b) King Henry the 1, Anno 1108. translating the Abbey of Ely into a Bishoprick, wherein he gives his Father William the self-same Title. *Ego Henricus providente divina clementia Rex Anglorum & Normannorum Dux, Willielmi magni Regis filius, QUI EDWARDO REGI HÆREDITARIO JURE SUCCESCIT IN REGNUM:* renouncing all Title by conquest, and claiming only as Heir to King Edward by Hereditary right.

4ly. Earl William himself in none of his Charters, Writs, Speeches, Writings, ever stiled himself a Conquerour of England, nor laid claim to the Crown and Realm of England by Conquest, after his inauguration; which Title of Conqueror was afterwards (out of the flattery or ignorance of the times) given unto him by others. Therefore the words which the (i) History of St. Stephens in Caen in Normandy, reports he used at his last breath: *The Regal Diadem which none of my Predecessors ever wore, I got and gained by the Grace of God only*

only. I ordain no man heir of the Kingdom of England, (which all our Historians unanimously contradict, affirming, that he ordained *William Rufus* his second son particularly to succeed him in it, at his death, upon which Title only he enjoyed it) but I commend the same to the eternal Creator, whose I am, in whose hands are all things. For I became not possessor of so great honour by any hereditary right, but by an humble conflict, and with much effusion of blood I took it from the perjured King Harold, and after I had either slain or put to flight his favourites and Servants, I subdued the kingdom to my self, must either be reputed false and fabulous, as most esteem them; or else have this construction, that he gained the actual possession of it against Harold, and his adherents only by the Sword, and that he had not an hereditary right thereto, as next heir by descent to the Crown, but only by adoption from, and as heir by donation to King Edward; as next of kin by the Mothers side; which he made his only Title.

5ly. Those antient English Historians, who first gave him the name of *Conquerour*, did it not in a strict proper sense, as if he were a meer universal Conquerour of the Nation, disposing of all mens Estates, persons, and the Laws of the Realm at his pleasure, for that he never did: but only as one who gained the actual possession thereof from a perjured Usurper and his forces by strength of arms, conquering them by open battel in the field; but still claiming it by gift, contract, and designation from King Edward, as his Kinsman; as an heir who forcibly outs a disleisor and intruder, comes in by Title and Inheritance only, though he gains the possession by force. This is evident by the forecited words of (k) *Mathew Paris*, and [4] Here p. 34. this passage of *Henry de Knyghton* (not extant in Hyg. [1] De Event. den, out of whom he seems to transcribe it.) Et sic quia Angl. l. 2. c. 2. col. 2343. *Normannus Jure hereditatis tenuit Normannia Ducatum, ideo Dux, Regnum vero Anglia mero Con-*

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questu, (in respect of actual possession) *et clameo subscripto*, (in respect of Title, & by claim by gift from King Edward) *Ideo Rex*: which claim and Title being backed by the unanimous election of the Prelates, Clergy, Nobility, People, and right heir to the Crown himself, (who all submitted and swore homage, fealty, and allegiance to him as their lawfull King, infallibly demonstrate him to be no Conquerour in respect of Title, in a strict, legal military sense, even in the judgement of those antient and modern Historians, who give him that Title, but only in regard of Harold and his party, and the actual possession which he got by conquest. And in this sense alone is that Distick in the

[*m*] Col. 962. [*m*] Chronicle of Bromton to be understood.

*Dux Normannorum Willielmus vi validorum
Rex est Anglozum, Bello Conquestor eorum.*

6ly. Our Great Antiquary Richard Vestegan in his *Restitutions of decayed Antiquities*, learned Mr. John Selden in his *Review of the Hist. of Tribes* p. 482, 483. Sir John Hayward in the life of King William the first, Mr. Nathaniel Bacon, in his first part of his *Historical Discourse, of the uniformity of the Government of England*, chap. 44, 45, 46, 55, 56. (to omit others) most fully prove and assert; That the entry of William the first into the royal Government of England, neither was nor properly could be by Conquest, but by Title, and by the free election of the Nobles, Clergy, and People. That although the several Titles he Pretended were perhaps, if curiously examined, not sufficient to give him a true, legal Title and Right to the Crown of England, à parte ante, because not agreed unto and confirmed by the general consent of the Nobles, Kingdom, and Nation in a Parliamentary Great Council; but only by the King, and some particular Prelates and Nobles out of Parliament (as Harold in his answers alleged) yet being ratified, ex parte post

post, both by the subsequent consent, agreement, submission, election, Oath, homage, and fealty of all the people, Nobles, Clergy, by their legal free crowning of him at first, by Edgar Atheling his own submission, fealty, and resignation of his royal right and Title thereby unto him, and ratified by succeeding Parliamentary Councils, it became an indubitable Right and Title, both in Law and Justice, to him and his Posterity, against all others, who could lay no legaller Title thereunto: he continuing, confirming all the ancient fundamental Laws, Liberties, Customs, and Government of the English Nation, without any alteration, both by Oaths and Edicts. I shal therefore conclude this point with the words of (n) Shard (a learned Lawyer in King Edward the third his reign;) who when the Kings Counsel in a Quo Warranto against the Abbot of Peterborough, would have made a Charter of king Edgar void, because they alleged, all Franchises were devolved to the Croton by the Conquest; replied thereto, The Conquerour came not at all to put any who had lawfull possession out of their rights; but to dispossess those who by their wrong had seised upon any land in disinherison of the King and his Croton, And with the words of our judicious Hittorian Sa. Daniel (o) concerning this king William. Neither did he ever claim any power by conquest, but as a regular Prince submitted himself to the orders of the Kingdom: desiring to have his Testamentary Title, (howsoever weak) to make good his succession rather than his sword. And though the stile of Conqueror, by the flattery of the time was after given him, he shewed by all the course of his Government he assumed it not: introducing none of those Alterations (which followed) by violence, but by a mild gathering upon the disposition of the State, and the occasions offered; and that by way of reformation.

And although * Sir Hen. Votton gives this verdict of them. VVe do commonly and justly stile him the Conquerour: For he made a general conquest of the whole

(n) In itinere
Temps.
E. 3. f. 143.
Mr. Seldens
Review p. 483.

[o] In the life
of William the
first, p. 36, 37.

* Reliquie
Wottonians, p.
149, 150, 152,

Kingdom and People, either by Composition or Armes, &c. Yet he addes, He was Crowned on Christmas day, 1066. at which time he would fain have compounded a Civil Title of, I know not what Alliance or Adoption, or rather Donation from Edward the Confessor. As if hereditarie kingdoms did pass like Newyears gifts. The truth is, he was the heir of his Sword. Yet from these pretences howsoever, there sprang this good, That he was thereby in a sort ingaged to cast his Government into a middle or mixed nature, as it were, between a lawfull successor, and an Invader: though generally (as all new Empires do savour much of their beginning) it had more of the Violent than of the Legal.

If any domineering Souldiers, or others, upon this false surmise, of Duke *Williams* right to the Crown and Realm of England **by meer conquest**, shall henceforth presume to claim and exercise a meer arbitrary, absolute, tyrannical and despotical power over our English Nation, Laws, Liberties, Parliaments, Estates, Persons, as over a meer conquered Nation, against all Commissions, Trusts, Oaths, Engagements, Declarations, and the rules both of Law and War it self, being raised, waged, commissioned only to defend and preserve us from conquest by the opposite party, Let them know, that they are far greater, worse Enemies to their own Native Country, than this *Norman Duke*, or any of our former *British, Saxon, Danish, Norman or English Kings*; who never claimed the Crown by meer conquest in any age, but only by some real or pretended Title of Inheritance; or at least by a free and general election both of the Nobility, Clergy, and people, as this King *William* did.

From the former Historical Passages concerning *Harold, Tofti, Duke William*, and the Kentishmen, I shall deduce these legal Observations.

1. That no Tax, Subsidie, or Imposition whatsoever could in that age be imposed on the *English or Norman*
Sub-

Subjects by their Kings or *Dukes*, but by their common consent, in their Parliamentary Councils; where they were denied, when inconvenient to the publike; as well as granted, when convenient.

2. That no *English* or *Norman* Subjects were then obliged to aid and assist their Sovereigns, with their persons, arms, estates, or subsidies granted, in any foreign invasive war, but only left free to contribute what private assistance they thought fit in such cases. *Proposit. 3.*

3. That no publike wars in that age were ever undertaken, but by common advice and consent in great Parliamentary Councils. *Proposit. 9.*

4. That the Kings of *England* in that age, however they came to the Crown, by right or wrong, held it both their bounden duty, interest, safety, to defend and preserve the Laws, Rights, Liberties of the Church and people; to enact and maintain good Laws, and abolish all evil Laws, Rapines, Exactions, Tributes, and to govern them justly, according to their Coronation Oaths, and not arbitrarily or tyrannically according to their pleasures. *Proposit. 1, 2, 4.*

5. That no Freemen in that age, could be justly imprisoned, banished, or put to death, but for some heinous misdemeanors, and that by a legal trial and conviction. *Proposit. 2.*

6. That the Subjects of *England* then held it their bounden duties, in times of forein invasion, to defend the Realm, their Lives, Liberties, Properties both by Land and Sea against forein Enemies; yet they held themselves dis-obliged, and were generally averse to defend the person or Title of any Usurper of the Crown, against any forein Prince, or other Person, who had a better right and title to it. *Proposit. 3, 8.*

7. That our *English* Ancestors in that age, esteemed their hereditary Liberties, good antient Laws and Customs, more dear and pretious to them than their very lives, and would rather die fighting for

Proposr. 10.

* Here p. 340.

their Laws and Liberties like freemen, than live under slavery or bondage to any Sovereign whatsoever.

8. That the Kings of England in that age could neither give away, nor legally dispose of their Crowns, Kingdoms, or Crown Lands to others, without the privity and free consent of their Nobles, and Kingdom in general Parliamentary Council; as is evident by *Harolds answers to Williams Embassadours*; the recited passage of * *Matthew Paris* upon that occasion, and this of *Samuel Daniel*, p. 34. *So much was done either by King Edward or Harold, (though neither act, if any such were, was of power to prejudice the State, or alter the course of right succession) as gave the Duke a colour to claim the Crown by a donation made by Testament: which being against the Law and Custom of the Kingdom, could be of no validity at all. For the Crown of England, being held, not as patrimonial, but in succession by remotion (which is a succeeding to anothers place) it was not in the power of King Edward to collate the same by any dispositive and Testamentary Will, the right descending to the next of blood only, by the Laws and Custom of the Kingdom. For the successor is not said to be the Heir of the King, but of the Kingdom which makes him so, and cannot be put from it by any Act of his Predecessors.*

* See Rot. Parl. 39 H. 6. n. 10. to 26. 1 E. 4. n. 8, to 16.

* See 1 R. 3. Rot. Parl. and Speed in his life.

9. That the Nobilities, Clergies, and peoples free-Election, hath been usually most endeavoured and sought after by our Kings (especially * Intruders) as their best and surest Title.

To these Legal I shall only subjoyn some Political and Theological Observations, naturally flowing from the premised Histories of King Edward, Harold, and William, not unsuitable to, nor unseasonable for the most serious thoughts, and saddest contemplations of the present age, considering the revolutions and postures of our publike affairs.

1. That it is very unsafe and perillous for Princes

or

or States to intrust the Military and Civil power of the ~~Realm~~ in the hands of any one potent, ambitious, or covetous person: who will be apt to abuse them to the peoples oppression, the kingdoms perturbation, and his Sovereigns affront or danger; as is evident by *Earl Godwin* and his Sons.

2. That devout, pious, soft-natured Princes are aptest to be abused, and their people to be oppressed by evil Officers.

3. That it is very dangerous and pernicious to hereditary kingdoms, for their King to die without any certain, known, and declared right Heirs or Successors to their Crowns, yea an occasion of many wars and revolutions; as is evident by King *Edwards* death without issue, or declared right heir.

4. That right heirs to Crowns, who are of tender years, weak judgement, or impotent in Friends and Purse, are easily and frequently put by their rights, by bold, active, and powerfull Intruders, as *Edgar Atheling* was both by *Harold* and *William* successively. Yet this is remarkable in both these Invaders of his royal Right. 1. That (a) *Harold*, who first dethroned him, to make him some kind of recompence, and please the Nobles of his party, created *Edgar* Earl of Oxford, and held him in special favour. 2ly. That King *William the first*, (to whom b) he submitted himself, and did homage and fealty) used him very honourably and entertained him in his Court, not only at first, but even after he had twice taken up armes against him (c) joyning first with the English Nobilitie, then with the Danes and Scots against his interest. For *Edgar* coming to him into Normandy, Anno 1066. out of Scotland, where he lived some years, where nihil ad presens com-

[a] Speeds History, Cambdens Britan. and others.

Here p. 349.

[b] Wigorn. Sim. Dunelm.

Bromt. Hoveden.

An. 166.

Here p. 369.

[c] Mat.

Westminster,

Mat. Paris, p. 6.

Wigorniensis,

Huntindon,

Hoveden,

Simeon Du-

nelmensis. Bromton; Malmsbur. Holinsh. Speed, Knyghton De Event. Anglia. l. 2. c. 3. col. 2350.

- ces; but magno donativo donatus est, pluribusque annis in Curia manens **Libram Argenti quotidie in stipendio accipiebat**, writes (d) *Malmesb.* receiving a great donative from him, and a pound of silver for a stipend every day, and continuing many years in his Court.
- [d] *De Gestis Regum*, l. 3. p. 103. (e) *Malmesb.* After which, Anno 1089. He went into (e) *Apulia* to the Holy wars by King *Williams* licence, with 200 Souldiers, and many Ships; whence returning after the death of Robert son of Godwin, and the loss of his best Souldiers, he received many benefits from the Emperours both of Greece and Germany, who endeavoured to retain him in their Courts for the greatness of his birth: but he contemning all their proffers, out of a desire to enjoy his Native Country, returned into England, and there lived all Kings *Williams* reign. (f) In the year 1091. *Wil. Rufus* going into Normandy to take it by force from his brother Robert, deprived Edgar of the honour which his Brother (with whom he sided) had conferred upon him, and banished him out of Normandy; whereupon he went into Scotland; where by his means a peace being made between *William Rufus* and *Malcolm* king of Scots, he was again reconciled to Edgar by Earl Robert's means, & returned into England, being in so great favour with the king, that in the [g] year 1097. He sent him into Scotland with an Army, *Uti in ea consobrinum suum Eadgarum Malcholmi Regis filium, (patruo suo Dusenoldo, qui regnum invaserat expulso) Regem constitueret.* Whence returning into England, he lived there till after the reign of king Henry the first, betaking himself in his old age to a retired life in the Country, as (h) *Malmesbury* thus records; *Angliam rediit, ubi diverso fortuna ludicro rotatus, nunc remotus & tacitus, canos suo in agro consumit.* Where most probably he died in peace, since I find no mention of his death: No less than 4 successive kings, permitting this right heir to their Crowns to live both in their Courts and Kingdom of England in peace and security (such was the
- (f) *Florent. wigorniensis*, p. 456. *Simeon Dunelm.* *De Gest. Reg. Anglor.* col. 216, 217.
- [g] *Florent. Wigorn.* p. 466. *Sim. Dunelm.* col. 223. *Hoveden An. pars 1.* p. 466.
- (h) *De Gest. Reg.* l. 3. p. 103.

the Christian Generosity, Charity, and Piety of that age) without reputing it *High Treason* for any to relieve or converse with him, as the Charity of some Saints in this Iron age would have adjudged it, had they lived in those times, who have quite forgotten this Gospel Lesson of our Savior they then practised: (i) *But I say unto you love your Enemies, do good to those that hate you, &c. Wherefore if thine enemy hunger give him meat, if he thirst, give him drink, &c. Be not overcome of evil, but overcome evil with goodness.*

[i] Mat. 5.
43, 44 45,
Rom. 12, 14,
20, 21.

5. That base carnal fears and cowardize, oft cause both Prelates, Nobles and People to desert their own best interest, and lawfull Princes, and to act, vote, and submit to meer unrighteous Usurpers, against their primitive resolutions, judgements, Consciences; as here in the case of *Edgar*, and *Rich*, 3. since.

6. That Generals puffed up with victorious successes, and having the command of the Land and Sea Forces in their power, are apt to aspire after the royal Crown and Sovereignty, and forcibly to usurp it upon the next occasion even with the disinheriting of the right heir, and hazard of the whole Realm; of which *Harold* is a most pregnant example.

7. That ambitious aspirers after the royal Crown and Throne, will make no conscience to violate all sacred and civil Oathes, Obligations, Contracts, and find out any evasions to elude them, rather than goe without them, or part with them when injuriously usurped by them; and will adventure to crown themselves with their own hands, than not wear the Diadem: witness *Harold*.

8. That Usurpers of Crowns without right, though they Court the people with Coronation Oaths and fair promises of good Laws, Liberty, Immunity from all Taxes and Grievances; yet usually prove the greatest Tyrants and Oppressors to them of all others; as *Harold*, and *William* in some sort did.

D d d

9. That

9. That Invaders of Crowns and Sovereign power, without any right, title, or colour of Justice, being once in possession, will never part with them to those who have better right, upon any verbal Treaties, but rather adventure their lives, bodies, souls, and their whole kingdoms, utter ruine, than part with their usurped Supremacy.

10. That the most unrighteous Usurpers of the royal Throne by apparent perjury, fraud, force, treachery, will feign, forge, publish some specious pretext or other of Title, or popular election, to palliate, or extenuate their intrusions; to avoid the infamy of Tyrants and Usurpers; and take off the *Odium* of their most unrighteous Intrusions; of which we see footsteps, both in *Harold*, *William* then, and *Rich. 3.* of late.

11. That unjust Invaders of Crowns for the most part bring many miseries, troubles, wars, and ruins, not only on themselves and their posterities, but likewise on their Kingdoms and people; as *Harold* did.

12. That royal Usurpers when they are most successful, insolent and secure (as *Harold* after his victory in the North) are nearest greatest dangers and ruine.

13. That such Usurpers are commonly very vigilant and industrious to preserve their own Interest and Power, under pretext of the common defence and safety of the Nation: yet more rely on their *Mercenary forces*, than the unmercenary Militia of the Nation.

14. That Usurpers, though they may have many Flatterers and seeming Friends, to write, and act for them whiles in prosperity; yet are commonly generally deserted both by Nobles, People, yea their own indeared Friends and kindred in their greatest dangers, when they need them most; as *Harold* was.

15. That few English Nobles, Gentry or Commons, will readily adventure their Lives in a Usurpers quarrel, when and where his Title stands in competition with a better and clearer right; as most of them deserted *Harold*.

16. That

16. That the reign of perjured Invaders of others Thrones, is commonly * very short, full of Wars, Troubles, Fears, Jealousies, and their ends, for the most part, bloody, tragical; as was *Harolds*, and *Rich.* 3. * Job 20. 4, 5, 6.
Psal. 37. 2. 35, 36.

17. That the sordid Covetousnesse of Kings and Generals in oppressing their people, and depriving their Subjects and Souldiers of their just and lawfull spoils after victory over the Enemies, is a ready means to alienate their affections, and cause a defection from them to their Opposites.

18. That when God hath designed a perjured Vsurper or Nations ruine for their crying sins, he suddenly stirs up unexpected Enemies and Instruments to effect, occasions to facilitate it; and so infatuates them, that they become altogether uncapable of any good advice, and reject all Propositions and Accommodations, that might prevent the same; as *Harold* obstinately did.

19. That none are more forward publicly to appeal to God himself, for to judge and decide the Justice of their cause and proceedings, than the most perjurious and unrighteous Vsurpers. That when such presumptuously and atheistically dare openly appeal to God himself for justice against their Opposites or Competitors, he usually cuts them off by exemplary deaths and fatal Overthrows, as he did *Harold*; both to manifest his severe Justice and Indignation against such Atheistical and hypocritical Apellants and Appeals; and to deter all others from such practices.

20. That all sacred Oathes and sworn Contracts solemnly made to others in things lawfull or indifferent, be it through fear, or voluntarily upon premeditation, ought religiously and inviolably to be observed, and not wilfully infringed, or eluded by shifts and pretences, as here, by *Harold*.

That God sooner or later doth usually avenge in an exemplary manner the perjurious wilfull breach of

solemn Oathes, even in Kings themselves and the greatest persons : whose detestable perjury oft brings sudden destruction both upon themselves, their kindred, Posterity, and whole Armies and Kingdoms too ; as in the case of *Harold*.

22. That perjured persons fighting in a cause directly against their corporal Oaths, can expect no other success in battel, but either flight, or death. And that one Battel may both lose and win a whole kingdom ; so unstable are even kingdoms themselves.

23. That the barbarous murders, the cruel oppressions of Innocent people, are apt to stir up a universal Insurrection against their Governors and Instruments ; and usually end in the dethroning, expulsion, death and destruction of the Authors of them ; of which *Tosfi* yields us a notable president : And that people when once justly enraged against such bloody tyrannical Oppressors, become altogether implacable, and will never brook their future Government over them.

24. That base carnal fears in times of imminent danger, usually dis-joynt, those persons, counsels, forces whom the Common danger should more unite, and make them desert the probablest means of their publike preservation, liberty, peace, settlement, by setting up the Right heir of the Crown (as *Edgar* here) against the Intrusions and Pretences of all usurping Invaders of the Sovereign power.

25. That a few timorous Counsellors, Great Persons or Clergy-men, in times of danger, are apt to disappoint the magnanimous resolutions, and daunt the heroical Spirits of such who are most cordially affected both to their Native Countries Lawes, Liberties, and right heir to the Crown ; and to draw them to unworthy compliances with them against both.

26. That stout resolute real Patrons of their Native Countries Laws and Liberties, will then appear most cordially zealous to protect, own, and fight for them, when

when they are in greatest danger to be lost, and most disowned, deserted, betrayed by other timorous and time-serving persons: witness the example of Abbot *Frederick*, *Stigand*, *Egelsine* and the *Kentish men*.

27. That true heroick English Freemen, prefer their old Native Liberties, Laws, Customs before their Lives; and would rather die fighting for them in the field, than depart with them upon any Terms to a victorious Sovereign; or subject themselves to the least publike Servitude, the name whereof hath been ever odious to them, much more the thing it self.

28. That the best means to preserve our publike Laws, Liberties, Customs against all Invaders of them, is manfully, resolutely, and unanimously to stand up in their defence, both by words and deeds, when they are most indangered: That such persons, Counties, places who have appeared most stout and resolute in their defence, when others have generally deserted, surrendered or betrayed them; have thereby preserved, secured, perpetuated them to themselves and their posterities, when all else have lost and been deprived of them; yea gained immortal honour, and precdency of all others to boot: Witness the *Kentish men*.

29. That the Stoutest Maintainers of their Countries Laws and Liberties are commonly most odious to, most injured, oppressed by tyrannical Sovereigns, though upon other pretences; witness Archbishop *Stigand*, Abbot *Frederick*, and *Egelsine*. Yet this must not deter them from their duties.

30. That no age or person ever yet reputed *Conquest* a just, safe, prudent Title or Pretext to the Crown of *England*, but ever disclaimed it, as most absurd and dangerous to their interests.

31. That the murdering, or disinheriting of the right heir to the Crown, hath been the Principal occasion and ground-work of all the great, sad revolutions of Go-

*See part. 2. p.
29, to 38.

vernment in this Island; and of the translations of the Crown and Kingdom from the * *Britons* to the *Saxons*; from the *Saxons* to the *Danes*; and since from both of them to the *Normans*, by the murder of Prince *Alfred*, and rejection of Prince *Edgar*.

32. That when Treachery, Perjury, Oppression, Murder, Violence, and other sins forementioned have generally overspread the Kingdom, and infected all sorts and degrees of men, then National Judgments, Forein invasions, publike Revolutions of Governours and Government, yea all sorts of Calamities, Warrs, Troubles, may be justly feared, expected, inflicted, as the fruits, punishments of these epidemical crying Transgressions.

[p] Prov. 27.
24. Dan. 2. 21.
c. 4. 25.

33. That [p] Crowns and Kingdoms have their Periods and Revolutions, as well as private possessions, Families, and that by the secret Justice, and wise disposing Providence of God, who disposeth, translateth, dissipateth, dissolveth Kingdoms at his pleasure, and giveth them to whomsoever he pleaseth.

[q] Col. 883.
[r] AEs and
Monuments,
Vol. 1. p. 148.

34. From the whole, we may observe, with the [q] *Chronicle of Bromton*, and [r] Mr. Fox, That as the *English-Saxons* had most unjustly, against their Oathes and Trusts, formerly subdued and expelled the *Britons* by the just judgement of God upon them for their sins, out of the possession of the Throne and Kingdom of *Britain*, by the power of the sword: so God himself, by divine retaliation, for the like Sinnes of the *English-Saxons*, after many years bloody intestine warrs between themselves, (wherein many of their Kings, multitudes of their Nobles, and Millions of the Common Souldiers, and people were slain and lost their lives) first plagued, infested them for many years, and at last totally subdued, and dispossessed them of the Crown and Kingdom for some years space by the bloody *Danes*, &c after that subjected them to the *Normans* yoke, who possessed themselves of the Crown and

and Realm of England instrumentally by the Sword, and put by both the Saxon Invader *Harold* and his Posterity, with *Edgar* the Saxon heir, in such sort as here you have read.

The Lord sanctifie all these Collections and Observations to the greatest publike good and settlement of our unsettled distracted English Nation, and the private benefit of all who shall peruse them, that they may aim only* at that kingdom which cannot be shaken, and that* Heb. 12. 28. I Crown of glory which fadeth not away: not at temporal Pet. 1. 4. c. 5, 4. Crowns, and kingdoms, which are so fading, transitory, full of Thorns, Crosses, Cares, Fears, Vexations, Tortures, Perils, Deaths. F I N I S.

Omissions and Errataes.

Kinde Reader, I present thee with some Historical Passages, casually omitted in their due places; and such Errors as have hapned at the Press, which I desire thee to correct.

PAGE 10. line 8. One (a) *Thunder* maliciously accused *Ethelbert*, and *Ethelred*, two kinsmen of *Egbert* King of *Kent*, educated and brought up in his Court, that they intended some time or other to take away his kingdom from him; and thereupon advised the King, either to banish them both into some farr Country, or to deliver them unto him to destroy and murder, without any legal Trial, or conviction of their guilt. Which *Thunder* often instigating the King to doe, and he but coldly prohibiting, or disliking; thereupon *Thunder*, in the Kings absence rashly presumed ignominiously to murder them in the Kings Palace, and then buried them under his Royal Chair, in a Village called *Estria*. The King returning to his Court, in the dead of the night there

Anno 654.
(a) Mal. Westm.
Anno 654. p.
229, 230.

Proposit. 2, 6.

there appeared a bright pillar sent from heaven, which filled his whole royal Palace with an unspeakable brightnesse: which the Kings servants beholding, were so terrified, that they fell down to the ground, and became almost distracted. The King being awaked, with the tumult of his Guard, and being ignorant of the cause thereof, arose, that he might go and hear Mattens as he was accustomed: And going out of his house, he saw the City shining with the beams of the new splendor. Upon which missing his Kinsmen, he sent for *Thunder*, and demanded of him where they were? who answered him like *Cain*; *Am I thy Kinsmens keeper?* To which the King replied, *Thou hast always sinisterly accused them unto me, and therefore, most wicked wretch, thou oughtest to shew me where they are*: Whereupon he informed him of their murder and burial; whereat the King was very angry with him; But returning at last to himself, he refunded the Crime & whole wickednesse on himself, and being confounded beyond measure, spent the residue of the night in tears. When the day appeared, he sent for the Archbishop *Adeo-datum, et Magnates quos habere potuit convocari praeceptis*, and causing the Nobles to be called together, related the whole business to them. The Archbishop gave counsel, that the bodies of these Innocents should be removed to the Cathedral Church, and there interred in a royal manner. Thereupon putting their bodies with Saints reliques into Coffins and Carts, they intended to carry them to *Christs Church*, in *Canterbury*, but in vain, because they could not stirre their corps, nor remove them out of the place, although they attempted it with much endeavour and force. Upon this, changing their counsel, they intended to remove them to *St. Augustines Church*, neither yet could they effect it. At last they resolved they should be removed to the most famous Monastery of *Warmen*, upon which the Carts presently removed with ease, as if they had

no burden; and they were buried by the High Altar in this Monastery.

(b) *Kinewalchus* King of the *West-Saxons*, deceasing Anno 672. *Regni arbitrium uxori Sexburgæ delegandum putavit: nec deerat mulieri spiritus ad obeundare-* *gia munia: ipsa novos exercitus moliri, veteres tenere in officio, ipsa subjectos clementer moderari, hostibus minaciter infremere, prorsus omnia facere, ut nihil præter sexum discerneres: Veruntamen plus quam animos fœmineos anhelantem vita destituit, vic annua potestate persunctam.* *(b) Malmesbury, de Gestis Reg. l. 1. c. 2. p. 14. Mat. west. an. 671. Proposit. 6, 8, 10.* When she had reigned thus one year *Indignantibus Regni Magnatibus* (assembled most likely in a Parliamentary Council) *expulsa est a Regno, nolentes sub sexu Fœmineo militare; The Nobles thereupon made Eschwin King in her place, being Regali prolapia proximus, next of the royal blood: quo decedente vel morte sua, vel vi aliena, vacantem aulam successionis legitima implevit Kentianus; He being the next right heir.*

Page 24. l. 24. About the year 783. (c) *Kenulph* *King of Mercia, Cum Episcopis, Ducibus, et omni sub nostra ditione dignitatis gradu, with the Bishops, Dukes, and Nobles of every degree of Honor under his Dominion, (assembled in a Parliamentary Council) writ a Letter to Pope Leo the 3d. to reunite those Bishopricks to the Metropolitcal See of Canterbury, which King Offa, (out of his hatred to Archbishop Li-ving) had severed from it, and united to a new-erected Archbishoprick at Licheshire, alleging in the Letter; Utsum est cunctis gentis nostræ Sapientibus, quatenus in illa Civitate Metropolitanus honor haberetur ubi corpus beata recordationis Augustini (qui verbum Dei imperante beato Gregorio, Anglorum genti remonstrabat, et gloriosissime Ecclesia præfuit Saxonia) pansat, qui his partibus fidei veritatem inseruit. This Letter, with Pope Leo his answer thereunto (worth the reading) are at large registred in Malmesbury and Mathew Par-* *Anno 793. [c] ill. Malmesbury, de Gest. Reg. l. 1. c. 4 p. 30, 31, 32. Mat. Parker Antiqu. Eccl. Brit. p. 27. 28, 29. Mat. west. Anno 789, 797, 798. Ger. v. istus Acta Pontif. Cant. col. 1642. Proposit. 5, 6.*

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[d] See here,
p. 32.

[Mx.] 23, 30.

[e] Anno 799.
p. 293 See O-
nuphrus, Bal-
us, and others
in his Life.

[f] Sim. Du-
nelm. de Ge?
Reg. Angl. Col.
116. Radulph.
de Diceo, Col.
799. See Pla-
tina, Onuphrus,
Baronius, Her-
mannus Sche-
del. Balus,
Opmeerus, and
others in his
Life.

ker : Hereupon the new Archbishoprick of Litchfield was dissolved, and the antient Metropolitick Jurisdiction of the See of [d] Canterbury restored. Anno 798, by the Iudgement and decree of the Council of Bagan-celd, and advice of Pope Leo ; who being advanced to the Papacy, and saying his first Masse, a certain woman to whom he formerly had access, as was reported, coming up to offer, wringing him sweetly by the hand and kissing it, thereby stirred up an incentive of lust in the Pope ; Who after the Masse ended, sitting in his Chamber and reprehending himself, suddenly cut off his hand, according to that Gospel-saying : * *If thy foot or hand shall offend, cut it off and cast it from thee, &c.* After which, concealing the fact, and retiring to a solitary place, he prayed to the blessed Virgin to restore his hand cut off from his arm ; which she miraculously did. And thereupon it was then decreed : *Statutum est tunc quod nunquam ex tunc manus Papa ab offerentibus deoscu-laretur, sed Pes* ; that never from thenceforth the Popes hand should be kissed by such who offered (or re-sorted to him, but his foot :) as (e) Matthew Westmin-ster, and others record : The original ground of kissing the Popes foot instead of his hand ever since (f) Some write, this Popes tongue and eyes were once or twice cut off, and pulled out by the Citizens of Rome, and yet again miraculously restored to him, as well as his hand : which the blind Papists may credit, though few else be-lieve to be a truth, but a ridiculous lying Romish Le-gend for the whetstone.

ERRATA

ERRATA.

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